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LETTERS

the highways

Washington, D.C.

DEAR SIRS: Far be it from me to challenge Ben Kelley's sour attitude toward the very highway program he so gingerly promoted as public affairs director for the Federal Highway Administration, but after reading "The Highway Lobby in Ambush" [*The Nation*, Nov. 15, 1971] I can and do challenge his reportorial accuracy and his ability to reason clearly.

He dismisses Environmental Action's charge that highways cover 3.6 million square miles of U.S. land as a mere "proofreading oversight" and offers no excuse for Senator Hartke's error in saying the United States has 3 million miles of paved roads. The fact that both statements are wrong by literally *millions of miles* and are simply *not true* for whatever reason, does not seem to bother him. . . . Both are good examples of how the "everybody knows" type of wisdom is born.

Victimized by exactly the same sort of sloppy research, Mr. Kelley states that the average truck pays only .03¢ per mile in highway taxes, which is, again, simply *not true*. The average truck pays exactly *100 times more than* Mr. Kelley claims. Now, there is a reasonable explanation for his gross error. His source, no doubt, was the Federal Highway Administration's table on "Estimated Motor Vehicle Travel in the United States and Related Data 1970." Using those tables, one discovers that the average combination truck pays *3¢* ($0.03) per mile in highway related taxes. Somebody simply turned the dollar sign into cents, and Kelley swallowed it whole. It is no secret that truckers have complained for years about paying what they consider to be a disproportionate amount in highway taxes. If private automobiles paid 1¢ a mile, and trucks paid .03¢, their complaint would hardly be credible.

As for his excitement over "the HUFSAM press release" and the Opinion Research Corporation study, either he read neither or is deliberately manipulating both. By agreement, all our press material was cleared by ORC prior to release. It is hard to imagine any "bowdlerized version" of their own material escaping their professional scrutiny.

In his list of "data that HUFSAM preferred not to emphasize in its press release" is the fact that only one person in four is aware that highways are financed mainly by gasoline taxes and how much the average motorist pays in such taxes. The release, which was issued to all maior U.S. news outlets on August 30, 1971, states, "The survey also found that only one person in four knows that the highway system is financed mainly by gasoline taxes, and only half the respondents would hazard a guess on how much they pay toward highway construction and maintenance. The average motorist pays $138 a year in highway use taxes."

If we chose not to emphasize those facts, we obviously wouldn't put them in a news release. Our whole premise is that once people understand how they pay for highways, and how relatively little, they will take a favorable interest in highways. . . .

Stopping the highway program to prevent environmental damage is like closing the schools as a birth control measure—it sidesteps the real issue and could only worsen the situation in human terms. Creation of transportation bêtes noires, be it the highway, rail, air or shipping lobby, is easy enough, but helps no one get from here to there easier, safer or quicker. *Gerald M. Bastarache, Manager*
Radio-TV Department
Highway Users Federation for Safety and Mobility

Washington, D.C.

DEAR SIRS: My article stands on its own feet. However, Mr. Bastarache seems to have some specific problems with it, and I propose to dispose of them as follows:

First, he will find substantiation for the truck tax figure

(Continued on page 276)

EDITORIALS

Mr. Meany's Deep End

George Meany's vest-pocket leadership of the AFL-CIO is creating serious problems for both the labor movement and the Democratic Party. In an interview with *U.S. News & World Report* (February 21) he boasts of cordial personal relations with President Nixon—why, the President even sent him a Christmas present by military courier—but feels that the Administration's record on "domestic stuff" is "bad, very bad." However, Meany would not want to see Nixon defeated "by somebody who is advocating surrender. I don't believe in surrender in Vietnam. There's one point, one deep end, I will not go beyond. I will not go with a guy who advocates surrender, and this has nothing to do with the labor movement; it has nothing to do with Nixon. This is me." But unfortunately a statement of this kind does have something to do with the labor movement—Mr. Meany was being interviewed as the head of that movement—and it does definitely have something to do with Nixon.

On the surface, labor seems to be united in its opposition to the President on domestic economic issues. Though James Hoffa will support President Nixon, labor, including the membership of the Teamsters union, will no doubt read the endorsement as "a personal thing" with Jimmy. But how can labor rally its members against Nixon if Mr. Meany insists on maintaining, as he will, his "deep end" stance on the war? Only Senator Jackson, Mayor Yorty and Governor Wallace meet his rigid definition of "no surrender" in Vietnam. And how can labor attain its goal of 500 delegates to the Democratic convention—compared with about 240 delegates in 1968—unless those who seek election, or selection, are willing to take a stand against the war? In addition, labor's basic, long-term economic objectives are incompatible with continuance of the war.

Of course, Mr. Meany is not too pleased these days with the President's "turnaround on foreign policy," meaning the trips to Peking and Moscow, but even so he does not rule out the possibility that AFL-CIO might support the President. The AFL-CIO will not do so, under any circumstances, but Meany might. It will be said that Meany is simply trying to push the Democrats to the right, but if he finally decides to support "dovish" Democratic nominees, he is likely to be more enthusiastic about electing a Democratic Congress than in ousting Nixon from the White House. Meany's private preference, despite misgivings about the trip to Peking, is probably for Nixon. From the time of the big White House dinner for selected labor leaders down to the announcement of the new economic policy, Meany's statements "tilted" in the direction of the President. Fortunately there is reason to believe—as the White House has implied—that Meany's preference is not necessarily shared by those of the labor movement he heads. He has always spoken for the building trades; it should be noted, incidentally, that the guideline for wage increases is 10 per cent for those unions but only 5.5 for the others. Also worth noting—but alas it wasn't—is the

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fact that the building trades called off their customary legislative conference at the current Miami meeting of the AFL-CIO. The reasons? Reluctance to provide a forum for "so many dovish candidates" and fear that unkind things just might be said about Nixon, who has been so kind, and partial, to them.

But if 500 labor delegates go to Miami, it is a safe bet that Meany will by no means control that bloc of votes. Some of the biggest unions with the most effective campaign organizations—UAW; Steel; State, County and Municipal Workers, and others—will be pursuing their own self-determined objectives. Some of them have already endorsed Muskie, who to Meany is known as "Shmuskie." Muskie, it is said, will soon stage a dinner to which labor leaders will be invited; many will accept, even if Meany does not. Nor should it be forgotten that Meany is almost wholly out of touch with a strong undercurrent of unrest, partly social, partly cultural, that exists in labor ranks today. The trouble GM has been having with workers on the Vega line is one of numerous manifestations of a dissatisfaction that goes deeper than wages. Given the high-handed way Meany makes political decisions in the name of the AFL-CIO, it is difficult to estimate the extent to which his views on the war and foreign policy generally are shared by the national trade union membership, but there is good reason to believe that a large proportion, perhaps a majority, dissent from his views.

But with Meany growling at the party over foreign policy and with Wallace and Jackson exerting more and more pressure against "bussing"—already Muskie, Humphrey and McGovern act as though they would like to duck the issue—the Democrats are slated to have a difficult time in Miami. The danger is not that the convention will nominate a "no-surrender" candidate but that the party may seek to buy unity at a price that could be much too high. The Democrats should recognize that Nixon will try to offset labor's opposition to his record on domestic issues by playing up "bussing," a basically racial issue that is highly charged and divisive. At the same time, he will blame the opposition for the failure of his plan to end the war—if it is not ended by November—and will hammer away at them between now and then as being "soft on Hanoi." He will blame "big unions" if inflation is not checked. The general tactic will be to divide the labor movement on the issue of the war and "bussing" and at the same time hold it responsible for the failure of the economy to respond to his policies, should that prove to be the case. If the economy does recover, he might make some inroads on the labor vote.

New forces are emerging in the labor movement and the yeast is visibly rising in the Democratic Party, but, as Meany's "deep end" blast suggests, neither can prevail without discarding some of the baggage of the past with which both are currently burdened.

The Politics of Law and Order

It can be argued that "crime" and its obverse, "law and order," should not be made a partisan issue in a Presidential election. It is not the kind of topic that lends itself to constructive political discussion, and by its nature it

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is a stock issue for demagogues. But it *should* be an issue this year, if only because Mr. Nixon made so much noise about it in 1968, and laid down such a barrage of grandiose proposals and promises. The opposition is entitled to ask, and the voters to know, just what has been done.

The basic index of crime in the United States is the FBI's Uniform Crime Reports, based on figures supplied by local police departments. The Administration uses these raw statistics to show that nationwide the rate of increase of *all* crime, while still rising, is not rising as fast as before—it is down to 6 per cent from 10 per cent a year ago. What the Administration chooses not to stress is that *violent* crime continues to rise at the rate of 10 per cent.

Air piracy is one of the most dangerous crimes, jeopardizing in each case large numbers of people. Since 1967, 118 airplanes have been hijacked. More police officers are being murdered, and more banks are being held up. As recent *New York Times* surveys have shown, crime is spreading from the cities into the suburbs and rural areas. Farm families who once boasted that they never locked their doors, now sleep behind burglar-proof locks and floodlights.

Back in 1968 the Administration could complain that it did not have the tools it needed to combat crime, but the Omnibus Crime Control and Safe Streets Act of 1968 gave the government all it had asked for, and violent crimes are still escalating at an alarming rate. In the District of Columbia, no-knock, preventive detention, and other ostensibly new schemes are scarcely used by the authorities. In the first seven months of this widely heralded experiment, three no-knock warrants were issued and seven individuals were held in preventive detention. As the lawyer for the District Police Department disarmingly explains, "We've always had no-knock. The law never said how long a policeman had to wait after knocking. . . ."

The preventive detention provision is too cumbersome; it is easier to hold habitual criminals in high bail, as judges have always done. However, the authorities have been increasingly zealous in wire tapping. According to Rep. Robert F. Drinan, the priest who was elected to Congress from Massachusetts, more than 328,000 telephone conversations were intercepted by federal officials in 1970 in eleven states, double the number in 1969, almost three times the number in 1968. And with what results? This massive federal eavesdropping, according to Mayor John Lindsay, has produced in two years less than seventy-five convictions.

"Law and order" should be a campaign issue, for the best possible reason—it is an issue that deeply concerns and immediately affects the citizenry—but of all those aspiring to oppose Mr. Nixon in November, only Mr. Lindsay has been forthright on the problem. Calling the President "soft on law enforcement," Mr. Lindsay said in Miami, "Despite Mr. Nixon's promises and Mr. Agnew's slogans and Mr. Mitchell's press releases . . . the Nixon Administration's policy has not changed anything on the blocks where we walk or the neighborhoods where we live or the business centers where we shop. . . ."

The Administration is understandably sensitive about its woeful record, so it once again trotted out its leading law-and-order paragons, Mitchell and Agnew, to put on a big anti-crime show in Washington. Eight mayors were peremptorily summoned to a press conference where they were told that $160 million would be at their disposal for a new panacea, the High Impact Anti-Crime Program. Immediately, before they could be questioned by the mayors or the press, Mitchell and Agnew departed. "The political nature of the announcement," *The Wall Street Journal* reporter commented, "was dramatized by the surprise of the recipients." The mayors were naturally grateful for the money, but they all confessed that they had no idea how to spend it.

Rational remedies for the crime that afflicts the nation are at hand, but this Administration does not resort to them. As one example, we should be trying to get about 50 per cent of those in jail out, not putting more in. The figure is based on the fact that half of those in city and county jails are legally innocent and are in jail longer than they would be if convicted, simply because they can't make bail. California is trying to reduce its state prison population and is having some success, but simultaneously its county jail population is increasing. The fact is that the whole system of courts and prisons needs a thorough overhauling, but all the Nixon Administration can think of is publicity stunts.

That is not quite fair. The President has made a deal to persuade Turkish farmers to stop growing opium poppies, i.e., they will grow poppies surreptitiously instead of openly. Recently, in the screening procedure now prescribed to prevent skyjacking, five young people were seized as they were about to board an airliner and were searched for drugs. None were found, but what have drugs to do with air piracy? And where in the Constitution does it say that young people may be searched at the discretion of their elders? And finally, Mr. Nixon has come out for federal measures against handguns. After three years he finally made up his mind. No doubt he will cite his belated conversion as evidence of his passion for law and order, and an argument for his re-election.

Radicals in Government?

Some of the chronic woes of most Western governments stem from the fact that radicals are normally kept out of public life, apparently on the theory that all wisdom resides among conservatives, most of whom are just plain reactionaries.

Only in the rarest instances does a radical get a chance to prove that something might be done "within the system." One such today—in Canada—is Pierre Vallières, whose revolutionary tract, *White Niggers of America*, was published in this country by the always useful Monthly Review Press. (The book was reviewed in *The Nation*, June 7, 1971.) Vallières was then, and presumably still is, a member of the FLN, a clandestine revolutionary movement that seeks to attain self-government for Quebec and the establishment of a Socialist society.

Until recently M. Vallières was a fugitive from justice on eleven charges of inciting to commit criminal acts, among other alleged offenses. Recently he gave himself

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up and was released *without bail*. His trial has been set for March 6. Having thus made himself respectable, what did this dangerous revolutionary do? With typical insouciance, he went to the Canadian Manpower Center in Montreal and was promptly hired in connection with a poverty research program funded by the Canadian federal government.

What superb good sense all around! How totally rational! By all indications this revolutionary will do a good job; he knows the subject and has the feel of it: he has every advantage over the average bureaucrat. We regard this as a superb move, but not in the sense that a government is smart to co-opt radicals by way of converting them into conformists and careerists—of those we have a superfluity already. The merit of the radical is that, more often than not, he knows what he is talking about and has the drive to put his knowledge to good use.

Now consider the case of Marion Barry, Jr., the new chairman of the Board of Education of the District of Columbia. As a black radical, he organized voting rights drives in the South, led a boycott of the District bus system, fought with the police and, as a culminating crime, is said to have destroyed the door of a paddy wagon. He is not only a radical but a bachelor, which by normal standards further unfits him for a high educational post. Worse, though he has a master's degree in chemistry (Fisk) and did work toward a doctorate at the University of Tennessee, he never took courses in education! Of course anyone who knows anything about teaching is aware that for the most part education courses have as little to do with education as astrology has to do with psychiatry; still, some of the voters, from long habit, would have felt easier if Barry had served as a principal, or a pedagogue of some sort.

What Barry did know was that Washington's educational system was falling apart. It was bankrupt and incompetent, and turning out high school graduates, mostly black, who could not read or write or tell time. That he proposes to remedy and that, one would suppose, is why he has the job. Since the professionals have had such poor success, let a nonprofessional, even with the label of radical on him, take a whack at it.

One heretical thought leads to another. We were reading those stories about Harry Bridges of the International Longshoremen's and Warehousemen's Union, and looking at newspaper photographs of the old firebrand. He looks tired and exhausted (as well he might), but even in that condition Harry has more vigor than the average labor leader or corporate manager. Add to his resumé the fact that he knows all there is to know about loading and unloading ships and moving cargo on water to most of the world ports; and on top of all that he has excellent connections with waterfront unions from San Francisco and Los Angeles to Bergen and Shanghai.

If we want to carry more cargo in American bottoms, meet competition, stimulate trade with the Soviet Union, Eastern Europe, China, etc., he is the man qualified to do it. It seems like a job for him, rather than for retired admirals and other safe candidates. Of course he won't get the job, but that only shows what state the country is in. An admixture of radicals surely could not make it worse.

Edgar Snow

This country has been fortunate in having one or two accurate and understanding reporters on the scene during most of the great social upheavals of the century. One thinks of Albert Rhys Williams and John Reed in the Soviet Union, of Herbert Matthews in the Sierra Maestra with Castro, and of Mark Gayn, Jack Belden and Edgar Snow in China. Of these last three, Snow was by far the most influential. It would be difficult to measure the reach and impact of *Red Star Over China* (1937), not merely in this country but throughout the world. At the time, it seemed as though the book might help chart a sound course for American policy toward the new China that was to emerge from the revolution then in progress. But it was not to be—not, at least, for a generation. The cold war got under way and the Democrats "lost China to the Communists," as Thomas Dewey and Richard M. Nixon made a point of saying. Snow's high reputation as an expert on China was temporarily eclipsed.

The Saturday Evening Post, of which he was an associate editor, began to receive letters threatening the withdrawal of advertising if it continued to publish Snow. Management assured him that these threats would not affect his status, but it was characteristic of Snow that he promptly resigned. The fact that top executives had relayed the threats to Snow would indicate that they were not displeased by his decision.

In this "gray zone" of his career, Snow wrote for a number of journals, including *The Nation*, and dreamed of when he might return to China. And he did return, in 1960, in 1965, and, for the last time, in 1970 with his wife (see "Visit to Mao's Past: The Caves of Pao-an" by Lois Snow, *The Nation*, May 31, 1971). After the first of these trips, he sought an interview with Dean Rusk; it was granted—and lasted about ten minutes. The same incredible failure to listen to, or consult with, the dozen or so individuals who really knew something about the new China was, of course, part of the legacy of McCarthyism. It is bitterly ironic that Snow was unable to journey to Peking, as he had planned, to cover the summit meeting for *Life*. No American had more to do with making that meeting possible. But it is Richard M. Nixon, who based a career on "fighting Chinese communism" and baiting those who knew something about the subject, who was packing his bags for Peking as Snow was dying in the Swiss village of Eysins.

Edgar Snow was a warm, friendly, attractive human being, usually late for appointments and forgetful about matters that concerned his own self-interest (he forgot to renew the copyright on *Red Star Over China* until the deadline had nearly passed); a loyal and understanding friend, a most enjoyable companion. In a cablegram of condolence to his wife, China's Ambassador to the United Nations, Huang Hua, paid a just and fitting tribute to Snow's remarkable acomplishments as a journalist: "He will forever be remembered as a true friend of the Chinese people for his unremitting efforts and important contributions to the promotion of the understanding and friendship between the Chinese and American people." This mild-mannered, unassuming man was—and remained —"a friendly personage" in Chinese eyes.

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Harlem Four: The Minds of a Jury

RALPH BLUMENFELD
Mr. Blumenfeld covered the trial of the Harlem Four for the New York Post.

One never knows what goes on inside a juror's mind. That was demonstrated again at the recent New York murder trial of the Harlem Four. It was the third trial for the defendants since their arrest in the spring of 1964, and the result was a second hung jury, the trials having cost the state an estimated $2 million so far. Manhattan Dist. Atty. Frank Hogan has now asked for a fourth trial, and State Supreme Court Justice Joseph Martinis will make known his decision on March 8. The accused men —Wallace Baker, William Craig, Walter Thomas and Ronald Felder, all now in their mid-20s—were teen-agers when they were arrested for the knife murder of Mrs. Margit Sugar on April 29, 1964. They have been behind bars since then, with no bail.

The crime they were charged with combined violence and ideology. Six deep stab wounds had taken the life of Mrs. Sugar, 50, a Hungarian refugee who died on the floor of the small second-hand clothing store she operated with her husband on Harlem's West 125th Street. The ideological aspect was supplied by police officials who claimed, amid heavy publicity, that the alleged killers were part of an "anti-white Muslim" gang that conspired to kill and maim white people just because they were white. While never proven, it was never disproven, so the charge was widely believed.

The one eyewitness to Mrs. Sugar's murder was her husband, Frank, 48, who suffered seven stab wounds himself. He told the first policeman to arrive at the scene that there had been seven or eight assailants—"black men," he said. After recovering from surgery and shock, he testified that they had been six teen-agers, "17, 18, 19." By that time police had rounded up six suspects, soon dubbed the Harlem Six, plus a seventh youth who claimed that he had helped plot the murder but was absent when it was committed. He was Robert Barnes, Jr., 18, who became the prosecution's star witness at the subsequent series of trials. Barnes gave some credence to the allegations of an "anti-white Muslim" crusade, testifying that he and his friends, the six defendants, had been taking karate lessons that spring and attending "readings" by Malcolm X at the Audubon ballroom, where the fiery black leader was assassinated ten months later.

A 1965 trial of the Harlem Six ended in a mass conviction, later overturned by the Court of Appeals, which ruled that confessions allegedly given by defendants Robert Rice and Daniel Hamm could not be used against the other four youths.

Rice and Hamm protested that the confessions had been beaten out of them by police, but at a separate retrial in 1970, Rice was again convicted and drew a life sentence. Hamm consented to plead guilty to manslaughter and, though he tried to retract the plea in open court, was sentenced to fifteen to thirty-five years in prison. Both cases are on appeal.

Amicus Curiae

Over the years, *The Nation* has been watching the case of the Harlem Four, as follows:

"To Whom It May Concern: A Report from Occupied Territory" by James Baldwin; July 11, 1966.

"To Whom It May Concern": an editorial, including a letter from William Craig, one of the defendants; August 16, 1971.

"Enough Is Enough": an editorial; February 14, 1972.

The remaining Harlem Four were tried again last March, after a delay of nearly six years, and the jury deadlocked 11 to 1 in favor of conviction. The holdout, as it happened, was a city transit worker who had been most feared by the defense lawyers because he was Irish and looked ominously like a "typical" hard-hat. What they didn't know was that relatives of his had fought with the Irish Republican Army. They had taught him something about the police, so he held out for acquittal.

So the case of the Harlem Four was brought to trial for the third time last November 8, with testimony beginning on November 29. Nearly two months later, on January 27, the jury pronounced itself "hopelessly deadlocked," voting 7 to 5 for acquittal. The majority vote for acquittal came as no great surprise to close observers of the trial in State Supreme Court in Manhattan, because some of the prosecution's major witnesses had begun to trip over their own testimony after three trials (including the Rice trial).

Under careful cross-examination by defense lawyers William Kunstler, Lewis Steel, Conrad Lynn and Edward Leopold, the witnesses were caught in a wave of contradictions, discrepancies and lies, (or, as they naturally chose to put it, "mistakes"). Barnes admitted on the stand to such "mistakes," changes in the details he had given at previous trials of the alleged murder plot and its aftermath. It was an elaborate story and implicated each of the six defendants, who, Barnes said, had met with him a few minutes after the murder and told him what part each had played.

The defense hammered away at Barnes's long arrest record as a mugger and holdup man, trying to show the jury that he had been dealt with gently by Hogan's office so that he could keep testifying against the Harlem Four. The point was to suggest that Barnes would say anything.

Similar tactics were applied to prosecution witness Ollie Roe, a drug addict and transvestite who claimed in 1964 to have seen the killers fleeing the Sugar store, then testified in 1965 that the defendants had been those fugitives, then in 1970 that he had actually seen them hovering over Mrs. Sugar's slumped form inside the store.

Finally, among the major witnesses, there were two young sisters, Barbara and Constance Wright, who had been 12 and 8, respectively, at the time of the murder.

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They also claimed to have seen the defendants fleeing the Sugar store, and to have recognized them as being from the neighborhood. Thomas, for example, was known to both girls by his nickname, "Turkey." The defense got them to admit, however, that when they had run home afterward they had told their aunt merely that they had heard Sugar's shouts and had seen "some boys" running; they did not mention then that they knew the boys. Barbara Wright, despite her youth, had been on probation as a juvenile offender at the time of the murder, the defense showed; the girls' aunt had been friendly with a cop who brought them in to a police station later that night to make the identifications.

Sugar, the only eyewitness to the murder, was a powerful asset to the prosecution up to a point—but in one respect he was equally valuable to the defense: Sugar never was able to identify the defendants as having been the assailants.

In the end, Asst. Dist. Atty. Robert Lehner, who had been on the case since the night of the murder, seemed to depend for evidence essentially on two partial fingerprints that had been recovered from the Sugar doorway, identified as belonging to Rice and Craig. The age of the two prints was in considerable dispute, with the defense contending that they might have been left at the scene long before the murder. But nobody could seriously dispute the existence of the fingerprints, or that they might have been left by the killers.

So the jury deadlock was somewhat predictable, with votes of guilty expected from those impressed by the fingerprints, and not guilty from those offended by the prosecution witnesses' "mistakes."

Jury-watching is a favorite pastime at any trial, and especially at one as politicized as the Harlem Four trial had become. Courtroom buffs, often including the judge on the bench, take immense pride in their ability to spot jurors hostile or sympathetic to one side or the other. This skill, usually imaginary, is based on simple observation of each juror, laced with some amateur psychology and a lot of the most important ingredient—guesswork.

One of the Harlem Four jurors, No. 11, was Blanche Schutz, a vibrant-looking woman with auburn hair who wore a colorful scarf at her throat. She had been an opera singer and was now a singing coach, which was why the defense had wanted her on the jury. She was "in the arts," and thus perhaps capable of compassion for four young black defendants who insisted they were innocent of killing a white woman. The prosecution, applying its own bias, had accepted Mrs. Schutz because she was white, middle-class, the wife of a corporation lawyer, and thus perhaps capable of understanding a vicious murder that had taken place in Harlem nearly eight years ago.

From the outset, Blanche Schutz seemed to take great interest in her surroundings—studying the judge, the defendants, the lawyers and the spectators. It could have been an opera house. When someone met her gaze, however, she would look away quickly, and in time Mrs. Schutz took to wearing dark glasses in the none too well lit courtroom. "I didn't want anyone to know I was looking at them," she said after the trial was over.

There were no strong clues to Mrs. Schutz's sympathies until the day when another juror, Lee Sabinson, complained to the judge about what he regarded as the prosecution's "delays" in scheduling witnesses. He thought it was prolonging the trial unnecessarily. Mrs. Schutz glared at Sabinson and nodded vehemently when two alternate jurors announced that Sabinson wasn't speaking for them.

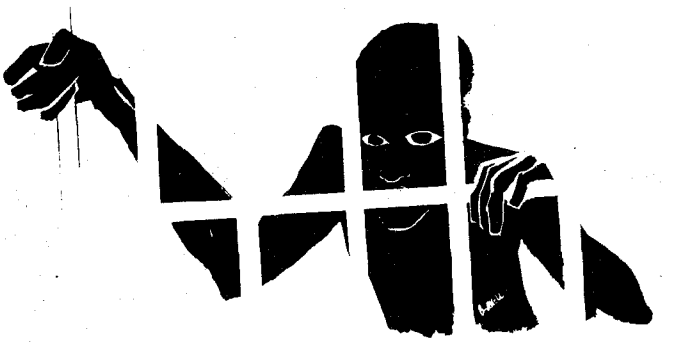
The defense wasn't at all ruffled by this display of dissension in the jury box. Indeed, it was hoping for a hung jury that might put a finish to the case once and for all. But many on the defense side immediately gave up on Blanche Schutz. Some saw her dark glasses as the ominous symbol of a closed mind. "You just can't tell about jurors," sighed one defense lawyer. And he was right.

Then there was the foreman of the jury, Henry Robbins, a senior book editor at Farrar, Straus. Robbins notified presiding Justice Martinis midway through Barnes's testimony that he had personal knowledge contradicting something Barnes had said on the stand. Under cross-examination by Kunstler, Barnes had denied one crime for which he had been arrested—a mugging in an apartment house elevator near Columbia University. The alleged victim was Mrs. Beatrice Hofstadter, wife of the historian, Richard Hofstadter. Robbins, as it turned out, was acquainted with Mrs. Hofstadter. And since he seemed to be challenging Barnes's veracity—which could have theoretically extended to the entire prosecution—Asst. Dist. Atty. Robert Lehner quickly moved to have the foreman disqualified and removed from the jury. Justice Martinis ruled that Robbins should stay in the jury box, and defense was delighted, for surely here was a vote for acquittal—and the jury foreman, at that.

Near the end of the trail, Lehner produced a "surprise" last witness, a pitiable derelict of a black man who shambled into the courtroom wearing a huge worn overcoat and a stubble of beard, and whose most memorable testimony was that he had had a heroin fix just before he had been brought to court and would need another as soon as he left.

Some of the spectators giggled, and in the jury box Foreman Robbins and Juror No. 2, James Shriver, an unemployed advertising man, grinned and nudged each other, as if to say: "Look what the prosecution has now dragged in." Were both the editor and the adman ready to acquit?

A lot of this kind of guesswork has to do with age. The Harlem Four jury, by almost any standard, was unusually mature. Two of the jurors were in their 70s, the youngest was 37, the average age was 57. As a stereotype the jury had to be labeled conservative, and likely to lean to a verdict of guilty. The epitome of this stereotype was Juror No. 12, Charles Bittner. He was 71, retired, with



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close-cropped white hair and a stern visage. Often he would be spotted nodding his head in agreement when the prosecution scored a point, and the defense had Bittner classified as the villain of the jury.

There were seven men and five women on the jury, nine whites and three blacks. Nothing was to be derived from those divisions, however, since at the previous trials all the women and all the blacks had voted to convict. So when this jury retired to deliberate once more the fate of the Harlem Four, who could predict the result? Certainly not the jurors themselves, although they too had some preconceptions.

On the first ballot there were six votes for acquittal, four for conviction and two undecided. "I was astonished," Foreman Robbins said later, and several other jurors observed that the initial ballot seemed to set off shock waves in the jury room. "The vitriol flowed, there was a lot of personal invective and it was all very disturbing," said Sabinson, Juror No. 8, a bushy-browed character actor and former stage producer. "At that point I knew that no agreement would be reached, because respect had deteriorated and when that happens there is no possibility of logic swaying anybody."

"There was a lot of angry debate," said Robbins. "Tempers flared at two or three points. You try to be rational, but then you realize that other people aren't being rational, and you get emotional. In many ways it was a fascinating experience, but it was exasperating, too. I hope I never have to go through it again."

The essential question in the jury room was the credibility of the prosecution witnesses, said Robbins—who voted to convict in spite of his personal knowledge concerning the key witness, Robert Barnes, Jr. "Parts of Barnes's testimony were a little hard to believe," the foreman said, "but his basic story seemed to hold up. And whatever doubt there was was resolved by the fact that the fingerprints were there."

Robbins said he thought that the jurors favoring acquittal "seemed to be questioning the credibility of the prosecution witnesses in their totality," while his own doubts were more than balanced by a feeling that "the case was convincing."

Shriver, No. 2, also voted to convict, as did Milton Mautner, No. 6, a book editor like the foreman. So did No. 9, Mrs. Lynn Warshow, a free-lance copy editor and at 37 the youngest member of the jury.

The oldest, No. 10, Mrs. Rose Zauderer, 73, voted to acquit. "I kept feeling that I had four young lives in my hands, and they had already lost their precious years," said Mrs. Zauderer, the wife of a stockbroker. "I hope this will give them a chance to learn a trade and become decent citizens—become *some*body," she added, reviving a memory of Marlon Brando's famous line in *On the Waterfront*. So much for the conservatism of old age.

Her grandmotherliness, however, was put into some perspective by another juror who reported that on the first ballot Mrs. Zauderer had been "undecided," and then had actually considered convicting the defendants. She later switched sides, one of two jurors to switch in the jury room.

The other switcher was Charles Bittner, No. 12, the "villain" considered certain to convict. He voted for acquittal on the first ballot, which was enough to explode the villain theory, even though he eventually did as expected. He would not discuss his reasons for switching.

Another elder juror, No. 5, Mrs. May Schaap, went into the jury room voting acquittal and stuck to her guns. So did Mrs. Sadie Palmer, No. 7, the only black woman on the jury and the only member to express bitterness over the diligent work of the prosecution. "That Lehner is out for blood—they ought to get him off of this case," said Mrs. Palmer, a dressmaker. "When he made his summation, that put the fat on the fire." At what point in the prosecutor's summation was she affronted? "When he opened his mouth, Mrs. Palmer said, laughing. "I wish he'd have been in the jury room. I would have felt free to push him out the window."

The other two black jurors, tax auditor Milton Todmann, No. 3, and transit worker James Ford, No. 4, also voted for acquittal—although Ford, as if to show that his vote wasn't cast on the basis of race, had temporarily contemplated a split vote, convicting Craig on the fingerprint testimony.

Sabinson, No. 8, actually followed that course, so that while the final vote was 7 to 5 on three defendants, on Craig it was 6 to 6.

Sabinson had been, with Mrs. Zauderer, "undecided" on the first ballot, although he was being counted on for acquittal outside the jury room because of his complaint about prosecution "delays." In the end, the character actor voted for acquittal "on the basis of a reasonable doubt," citing the many discrepancies in the prosecution testimony. Of all the jurors, Sabinson was best able to recall the testimony; he had taken careful notes daily.

"I disbelieved Barnes's testimony from the beginning," he said, "because if Barnes was an alleged accomplice, he had more reason to lie." What struck Sabinson in particular was an omission—the fact that Barnes had been taken to the West 123d Street police station on the night of the murder and held on suspicion, and had been in the second-floor bullpen when three of the defendants were brought in later that night. "He must have seen them—the bullpen was directly across from where they were booked—yet he never mentioned it on the stand," Sabinson said. "For me, that was a prime error."

How was it that Sabinson knew so well the layout of the West 123d Street station? That was one of those quirks of fate. "I was in a taxicab that was stuck up by two black boys one day," he said, "while I was on the way to Yankee Stadium with my wife. I was in that station house, and I saw that bullpen."

Neither the prosecution nor the defense knew all of that story—they may learn of it for the first time here—although Sabinson had mentioned the taxicab stickup when he was first examined as a potential juror before the trial. "I remember one of the defense lawyers shuddered when I said 'black boys,'" recalled Sabinson. "I told him that I only meant that they were black and under 20." Why hadn't he told at that time of his experience inside the station house? "Because," Sabinson said, "nobody asked me."

It was Sabinson who made a point in the jury room of the fact that the detective who first listened to Barnes's story of the murder "conspiracy" took no notes. Not until

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Barnes was taken to the District Attorney's office the next day was his statement put in writing and signed. "I think good police practice demands that the detective call in a stenographer and that Barnes sign the statement," said Sabinson. "For all I know, these boys may be guilty. But there is reasonable doubt. *Reasonable doubt.*"

Blanche Schutz, the opera singer in the dark glasses, had no doubt at all. "I yelled 'frame' through the whole thing," she said. "The foreman kept rolling his eyes, as if I was crazy. But there was no evidence, no eyewitnesses. And I did not believe the children [Barbara and Constance Wright]. I didn't think Barbara was a very stable person." The clincher for Mrs. Schutz was the two girls' testimony that they had recognized boys whom they knew fleeing the murder scene, and had run home to tell their aunt without mentioning the boys by name. "If two little girls had seen boys they knew," reasoned Blanche Schutz, "they would have gone home and said, 'We saw Turkey, we saw . . .' "

There wasn't much else to go on during the deliberations, she said. "The judge had told us to use our personal experience in reaching a verdict. And I did. Because I'm cognizant of what the machinations can be in our society."

When she was informed how certain some of the defense team had been of her intention to vote guilty, Mrs. Schutz made it clear just how wrong that guess had been. On the night before deliberations began, she revealed, her husband had suffered a heart attack and was hospitalized. She could have been excused from the jury, but she chose instead to remain in court, sequestered for three days and two nights.

"I couldn't drop out," Blanche Schutz said. "I had too much at stake." □

CORPORATE SECRECY

ISSUE FOR THE SEVENTIES

THOMAS DE BAGGIO
Mr. De Baggio is editor of Consumer Newsweek, *a Washington, D.C. newsletter.*

American corporations sit on more secrets than do all of Washington's bureaucrats and brass hats put together. And they do so with less justification. This state of affairs and what it means for the nation—even the world—burst suddenly out of the soundproofed board rooms as the Penn Central's financial wreck began to be untangled. The transportation giant, revealed to be on the verge of death, presented a sordid instance of what happens when a modern, acquisitive firm wraps itself in secrecy. So strong was the ban on information at Penn Central that the efforts of even a board member could not crack it. The same types of restriction are placed on crucial data by other corporations, and the public—even company directors—has no way of knowing if the same kind of clandestine mismanagement flourishes.

As the House Banking Committee makes clear in a staff report released in January, Penn Central's secrecy covered not so much trade secrets as tricks of the trade. Committee Chairman Wright Patman (D., Tex.) noted that the financial labyrinth which honeycombed the Penn Central twisted and turned through Wall Street: "The attitude of everyone involved seemed to be, while the game was still going on, that all these dealings were of benefit to every member of the club, and the railroad and the public be damned."

Much of the railroad's financial and management affairs appear to have remained hidden from lack of concerted effort to pry them out. Thus banks loaned money without question, accounting atrocities glided through because they contained payoffs, secret self-dealing went uncovered because financial benefits accrued to those within the company. Indeed, a preoccupation with secrecy giving the appearance of conspiracy so enveloped the mentality of those involved that a dissident board member, Robert Odell, who had come from the New York Central when the two railroads merged, could not even meet informally with other board members to discuss what he had discovered.

Coupled with the revelations contained in an earlier report by the Antitrust Subcommittee of the House Judiciary Committee, which documented on a somewhat wider scale the corporate cloak-and-dagger operations that fostered the merger epidemic of the 1960s, the House Banking Committee's inquest into the wreck of the Penn Central may come to be viewed as corporate government's Waterloo. For it makes plain that corporate secrecy acts to preserve the destructive corporate domination of the economy, enhances corporate political influence and hides the harm that consumer products do to their users. As government becomes more involved in business through price and wage controls and various financial corporate props, it adds to its regulatory authority and responsibility without making equivalent demands for a public accounting. What is kept secret becomes more crucial to public decision making and increases the need to declassify corporate and government secrets.

Yet the right of corporations to hug their secrets at the expense of the public's health, safety and pocketbook goes almost unchallenged by government officials. Bureaucrats conspire with business leaders to shroud still further an important body of information that should be made public, and politicians do their best to skirt the issue, fearing to ruffle corporate feathers when they need campaign cash.

"Our economic intelligence about many aspects of business organization is worse today than it was around 1900 when Roosevelt made his plea for opening to public view the 'mammoth' corporations of his day," contends economist Willard P. Mueller, former Federal Trade Commission Economics Bureau director. But contemporary corporations dwarf those of Theodore Roosevelt's era. The

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largest of them are bigger than many sovereign nations. General Motors, for instance, is larger than 123 of the world's 146 nations. American Telephone and Telegraph, Standard Oil of New Jersey and Ford Motor Co. is each larger than Denmark, Austria, Indonesia, Norway, Venezuela, Iran or 100 other nations. Less than 1 per cent of manufacturers control 86 per cent of America's assets and 88 per cent of its net profits. Seven international oil producers, acting for the most part as a single economic monolith, have combined assets of $75 billion. That sum is as large as Canada's gross national product, and the Canadian economy ranks ninth in the world.

This corporate domination of the economy and natural resources should surprise no one, says Jerry S. Cohen, former chief counsel of the Senate Antitrust Subcommittee and author with Morton Mintz of *American Inc.* "A corporation being an entity without a soul and without a conscience, its rewards must be earthly," he says, "because the gates of Heaven and Hell can be opened only to flesh and blood. The problem this creates, and which we have yet to face, is that economic power is political power."

Sen. Fred Harris of Oklahoma, the former Democratic Party National Chairman whose five-month fling as Populist Presidential candidate ended abruptly with a $40,000 debt, says he was beaten by the big corporations who refused key financial support. Although forbidden by law to make campaign contributions, corporations form secret political committees and funnel donations through their executives. But corporate political influence is much more pervasive and hidden than covert contributions would suggest. "The giant corporation," says Cohen, "is able to manipulate public government in a way human beings seldom can. The corporation, for example, determines employment patterns—literally whether cities or areas will live or die. It has a large tax base upon which governments depend."

Even before corporations reached gigantic size their power was awesome, especially the power to draft legislation favorable to their interests. The greatest corporate legislative coup was the Fourteenth Amendment, adopted in 1868 and designed to assure all citizens the right of due process and equal protection of the laws. Georgetown history professor Carroll Quigley recounted that tale of corporate influence before a Congressional committee recently: "More than 100 years ago, Roscoe Conklin, a Senator from New York, who at that time was retired, gave testimony that he was at the secret hearings where a decision was made about the wording of the Fourteenth Amendment of the Constitution, and although it was not published and we did not know it until he made this statement, the purpose of the writing of that was to protect corporations at least equally when it gave certain rights to persons. They used the word 'persons' because it would, they thought, include corporations as well as the Negroes in the South for whom publicly they were establishing these protections." Thus it was that in guaranteeing rights to former slaves, the Congress emancipated the American corporation from virtually all restraints.

What freedom they did not thus gain, corporations soon won with a broad trade-secrets law that prevented federal employees from divulging corporate information which "concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses or expenditures of any person, firm, partnership, corporation or association. . . . "

Since "trade secrets" is a term not precisely defined, corporations can label everything about their business confidential, releasing only what pleases them. Even an item as innocuous as a company telephone book is guarded dearly, and the number of employees in a plant, their race and sex, take on the quality of state secrets. "Some research data is protected as a 'trade secret' long after any trade advantage has evaporated," asserts Robert Choate, the nutrition expert whose exposé of nutrient content of dry breakfast cereals shook that industry into reform. "Other research relates to the public's well-being and whether positive or negative, should become part of medical lore even while research is continuing. General Foods, Kellogg and others have extended files on the cariogenic (cavity-producing) effects of their products. . . . These tests reveal the cavity-producing potential of such drinks as Tang and Kool-Aid and such cereals as Sugar Frosted Flakes. This information should come into the public domain, especially since these products are advertised nationally." [See "Refrigerator Roulette: The Sugar-Coated Children's Hour" by Robert B. Choate, *The Nation*, January 31.]

When it sought to investigate Du Pont, a Ralph Nader study group was told by the firm's president, Charles McCoy, that Du Pont kept secret all information "harmful to the corporation." Like other companies Du Pont enforces the rule by obliging employees to sign a rigid contract designed to repress the slightest urge to disclose anything, either while employed by Du Pont or afterwards. A pension clause permits the company to cancel retirement payments if the former employee "willfully engaged in any activity which is harmful to the interest of the company."

Even the ownership of corporations is secret. Stockholder identity has been camouflaged by "street names," sometimes called "nominees." The codes were partially broken when Sen. Lee Metcalf (D., Mont.) made public the "nominee list" issued by the American Society of Corporate Secretaries. [See "Unmasking Corporate Ownership" by Sen. Lee Metcalf and Vic Reinemer, *The Nation*, July 19, 1971.] It revealed that Aftco, Byeco, Cadco, Bebco, Ertco, Floco, Forco, Gepco, Ninco, Octco, Oneco, Quinco, Sevco, Tenco, Treco, Twoco and Vivco were names used by Prudential Insurance Co. for its extensive holdings. But many of the exotic names employed to hide stock ownership and control refer to banks and brokerage firms, which in turn hold stock for others. Such codes have also cloaked the large holdings of life and health insurance companies in the tobacco industry—holdings which have deterred these powerful investors from fighting health hazards that shorten the lives—and boost the premiums—of policyholders.

Corporations have also protected themselves from the encroachment of the federal bureaucracy and the public into their closed domains by fostering advisory committees. There are an estimated 2,000 such committees, but the essential one for the maintenance of corporate

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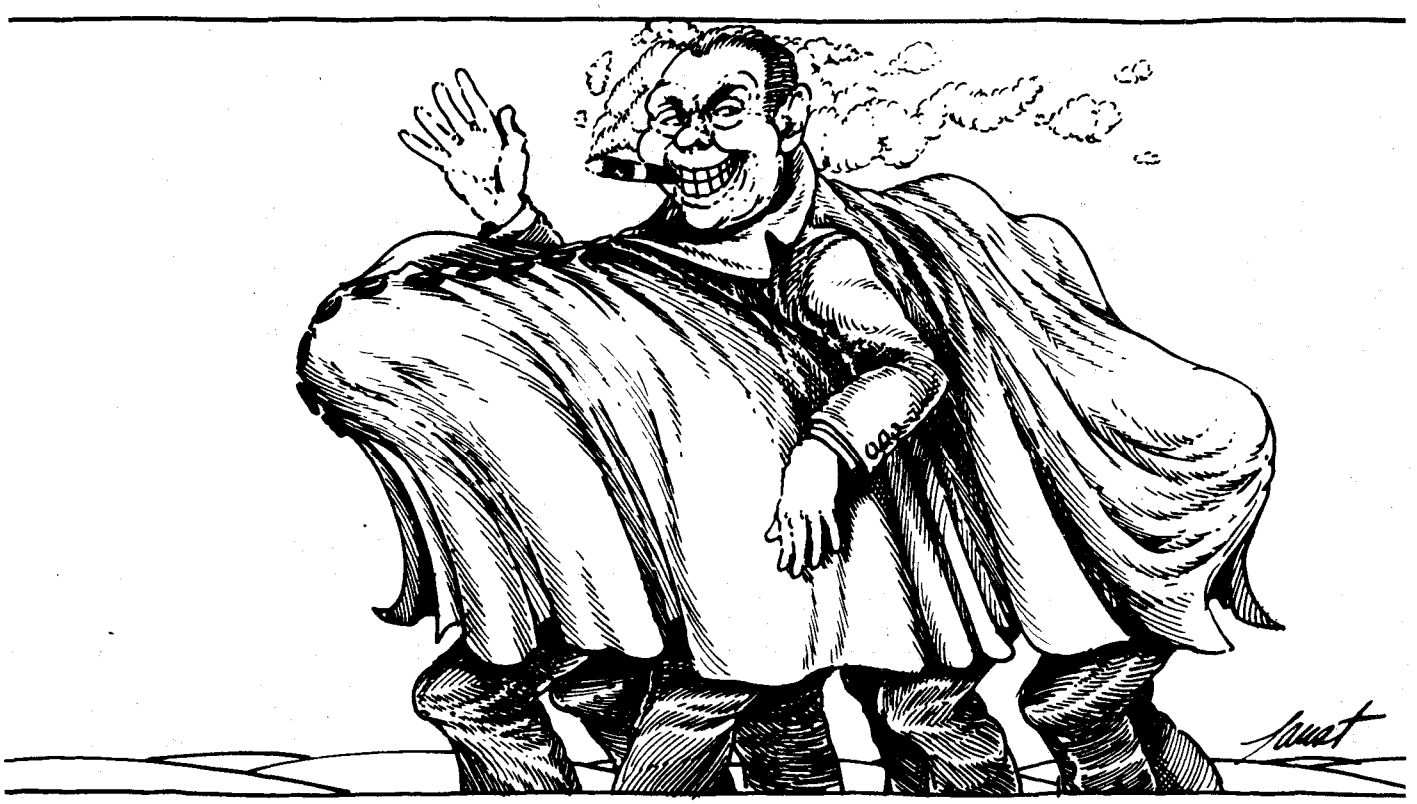
secrecy is the Business Advisory Council on Federal Reports, a group of big business executives who counsel the White House Office of Management and Budget (OMB) and through subgroups stall government requests for information.

The OMB is crucial to the government's collection of data. It has the authority to withhold clearance for questionnaires or to delete questions from them. This power, coupled with the influence of the business advisory groups, was enough to delay for eight years a survey of industrial pollution. A survey of gas pipeline hazards was similarly delayed, as was a survey designed to discover problems in the business of auto repairs. Most recently, the electric power industry has been fighting to keep secret data collected by the Federal Power Commission on the availability, cost and quality of fossil fuel. At the same time, pressure on the OMB has delayed the Federal Trade Commission's collection of data on corporations' line-of-business profits. The data is to be gathered to supplement the agency's *Quarterly Financial Reports,* the only information published on income by industrial categories.

The need for the new survey is undisputed. Mergers have caused a decline in the quality of the *Quarterly*'s data, because it reports revenues by "primary" industry. That sometimes means that a firm's total revenues are counted in an industrial category in which it does only 15 per cent of its business. The new survey would split a firm's profits into very broad product categories such as "canned, cured and frozen food," and it would demand no certification or audit of the profit estimates. Yet, the big conglomerates which have been hiding such information screamed at the suggestion that data be made available on a confidential basis to the government. "The potential impact of any leakage of profit data . . . could have substantial adverse effect on the competitive position of individual companies," argued Charles C. Hornbostel, executive vice president of the Financial Executives Institute, at an advisory meeting which was itself secret. But his real concern appears to be to preserve the elitist privilege to dominate smaller, single-product firms whose profit data are public. Product-line secrecy gives the large corporation an edge in gobbling up smaller competitors and hides monopolies in certain industries. Government policy and continued secrecy have permitted the destructive take-over of a number of industries either by one corporation or by several who "share" the monopoly.

The FTC has attacked the breakfast cereal industry, where four firms control 91 per cent of sales. FTC contends that the shared monopoly was built on anti-competitive practices and extensive advertising. The overcharge to consumers has been 10¢ on a 40¢ box of cereal. The FTC has also been poking around in the soft-drink industry, where, Senator Harris has charged, the shared monopoly has created "a 3¢ overcharge on a 10¢ bottle and a $1.5 billion redistribution of income from ordinary Americans to the big soft-drink companies." Ralph Nader estimates that shared monopolies—many of them hidden—cost consumers $23 billion a year in overcharges.

Tricky accounting, as well as an aversion to product-line reporting, is another way corporations hide financial data. By financial finagling International Telephone and Telegraph overstated its 1968 net income by 70.4 per cent, according to the staff of the House Antitrust Subcommittee. Such financial shenanigans are neither unusual nor frowned upon—the Financial Analysts Federation cited ITT for "excellence in corporate reporting" four years in a row. This "excellence" has created statements so inadequate, in the view of David Norr, an analyst for the



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First Manhattan Co., that they might well have caused the New York Stock Exchange to halt trading in the firm's stock. But nothing of the sort has been contemplated by exchange officials or the Securities and Exchange Commission. Because of accounting tricks and the fever for mergers, encouraged by the government, we know less today about ITT than we did ten years ago, according to Professor Mueller. And ITT is not alone. A flock of small companies disappeared into large corporations during the mergers of the 1960s and have now become hidden items in consolidated reports.

An attempt to break through some of this secrecy was made in Congress last fall with an amendment to the extension of the Economic Stabilization Act. But in its watered-down version, the disclosure provisions of the Act are almost meaningless. An irony of the whole affair is that one of the justifications the Price Commission has trotted out for keeping these matters secret is the Freedom of Information Act, once seen as the legal beachhead of the public's right to know. The same law has been cited by newspaper publishers as a reason why their profit statements should not be filed in return for the antitrust exemption granted them under the Newspaper Preservation Act.

Big corporations find the government accommodating in other ways. U.S. Steel took it upon itself to refuse the property tax collector in Gary, Ind., information about its taxable facilities. Every year the IRS makes 30,000 tax deals with corporations. These agreements sometimes create new law, yet they are not subject to review and remain secret. Every year $63 billion in subsidies is wheeled out of Treasury. The majority of it fattens large corporations. The few scraps that trickle down to the poor occasion a grave loss of privacy: those who wish to receive it must first pass a "means" test. But no corporation—including Lockheed—is required to make a complete public accounting of its finances before getting on the dole. Food processors are still not required to print on the label everything that is inside the can, in what quantity it is to be found and the nutritional value. The Agriculture Department has not yet required fat content of meat to be labeled, although it has established certain levels beyond which fat content is not allowed to go. Tests of drug efficacy made by manufacturers and the government prior to marketing still remain secret.

When corporations fail to forestall or influence lawmaking, they have shown themselves not beyond lawbreaking to keep secret what should be disclosed. "A large number of defense contractors, including many of the nation's largest companies, regularly refuse to provide the cost and pricing data required by the Truth in Negotiations Act," according to Adm. Hyman Rickover. "In some cases, entire industries have decided not to comply with the law. . . . For example, large steel companies . . . have for years refused to obey the law requiring them to furnish cost and pricing data." The Defense Department has shown little desire to force the issue. The computer industry, from which the government purchases $3 billion worth of equipment annually, refuses to give similar information to both the Atomic Energy Commission and the General Services Administration.

At other times corporations are willing to pay up rather than divulge a small piece of corporate data. Thus Volkswagen refused to name safety personnel or to release test reports in a suit alleging that seat safety-latch failure had caused injury. The judge, peeved by the firm's insistence on keeping its secrets, held Volkswagen liable for the damages. General Motors has kept its own witnesses and attorneys ignorant of facts established by tests, so that information pertinent to a court case would remain secret.

Lawbreaking corporations charged with antitrust violations will sometimes sign a consent decree promising to stop the allegedly illegal activities, rather than risk having secrets spilled in court. And the government has been eager to go along with them. Such secrets, if revealed, might cost a corporation millions of dollars in treble damage suits.

"The law simply cannot bestow equal justice so long as there are two separate and unequal classes of citizens, one that cannot be imprisoned and another that can, one for whom the most severe penalty is the punishment of its capital and another that can receive capital punishment," says attorney Cohen. Big corporations get away with their outlawry "because they are accustomed to controlling the framework of the law which applies to them," contends Nader.

No one denies that corporations have a valid interest in keeping some information to themselves. What is at issue is an assumed blanket right to secrecy and the power it confers on the corporate giants. It is a power sometimes greater than government and often absolute over the lives of consumers, workers and small businessmen.

Corporate secrecy, says Nader, "is the first and usually decisive obstacle to knowledge of and response to the abuses, illegalities and injustices which corporations heap upon citizens, governments and environments. . . . For the control of the process of information is control of the process of policy."

With corporations enjoying such great power and suffering so few checks, it is not difficult to agree with John Kenneth Galbraith, who remarked recently in Congressional testimony: "The line between public and private enterprise is obviously so exotic as to be ludicrous. . . . Corporate secrecy is now a formula for keeping the public in ignorance of the public business."

Short of nationalizing large corporations, a series of remedies are being prominently discussed as ways to crack the code of corporate secrecy. Among them are federal corporate charters and a change in the basic structure of the corporate board of directors. Both would help to bring corporations out of the secrecy-shrouded feudalism that sustains them and would create a democratic form of enterprise more appropriate to the 20th century.

As proposed by Nader's Corporate Accountability Research Group, federal corporate charters would embrace not only strict antitrust provisions and a breakup of shared monopolies but also full corporate disclosure. This last would probably include publication of product-line financial reports—perhaps even income tax returns—and product testing done by industry. It would also remove barriers which prevent the public from knowing a product's ingredients. Pollution emissions and occupational health and safety conditions would also be made public. As

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Nader himself has noted, a definition of trade secrets would have to be written to indicate what could properly be kept confidential.

Sen. Philip Hart (D., Mich.), who has publicly supported federal corporate charters, is fond of pointing out that the idea has had important high-level support for years. Presidents Theodore Roosevelt, William Howard Taft and Woodrow Wilson all supported the concept. Hart calls it a "conservative approach."

The House Banking Committee staff, after investigating the collapse of the Penn Central and the secrecy and mismanagement that contributed to it, came to the conclusion that, "If this is indicative of the way other corporations operate, serious efforts should be made to require more complete and timely disclosure of corporate actions and decisions and to develop a new comprehensive system of uniform accounting standards for corporate reporting." In the staff's minds the Penn Central bankruptcy raised "the serious question as to whether giant corporations affecting the everyday lives of our entire population . . . should continue to be governed in the traditional fashion, or whether a new system of corporate directorships should be devised reflecting the broader public interest that is at stake in the operation of these giant corporations." In addition to proposing a limit on the number of bankers on a corporation's board of directors, the staff report suggests that they be opened to "employees, customers, consumers and the public in general."

Making little legislatures out of the boards of America's corporate giants has been vehemently rejected by the corporate elite whenever it has been mentioned. Yet, in West Germany, iron, steel and coal companies were required in 1951 to give employees 50 per cent board representation. And while top corporate executives are not ready to jump for even that kind of limited corporate democracy, a survey of business executives conducted by the *Harvard Business Review* shows some new and remarkable flexibility on the subject of management decisions. The survey found one-third of the 3,453 executives polled willing to let an employee vote decide some policy issues. Half the younger executives were prepared to abide by an employee vote.

Thus there is some reason to be optimistic about reversing the trend toward more corporate secrecy and increasing corporate power, but the fight for reform is sure to be long. As Nader has pointed out, "The interplay between governmental secrecy and corporate secrecy in the context of an accelerating erosion of personal privacy represents a single, widening thrust in recent history." □

THE GUERRILLAS OF MONTEVIDEO

IN THE MOUTH OF THE MONSTER

JOHN LITT and JAMES KOHL

Mr. Litt, a computer programmer, who holds a degree from M.I.T., and Mr. Kohl, who teaches Latin American history at the same institute, are co-editors of a forthcoming book on urban guerrillas in Latin America.

It might seem odd that Uruguay, the "Switzerland of the Americas," should be the home of the most successful guerrilla movement in the New World; but the strength and durability of the Movement for National Liberation (MLN), whose members are also known as Tupamaros, is well illustrated by the escape of 106 inmates from Punto Carretas Prison in September 1971. In August 1970, the government had seemed to have the upper hand, since every known leader of the MLN was in jail. That advantage eroded, though, as four jailbreaks freed sixty-eight prisoners in the next year. Then, in the early morning of September 6, every captured leader escaped in the mass exodus from Punto Carretas.

That exploit marked a turning point in the Tupamaros' struggle against the Uruguayan Government. Between 1968 and 1971 and MLN became a nationwide force through kidnappings, expropriations, occupations and, occasionally, assassinations. For this success it paid a heavy price in militants jailed, tortured and killed. Then the escapes nullified virtually all the gains of the authorities: three years of careful police work vanished overnight.

The origins of the Tupamaro movement go back to the early 1960s and a Socialist Party union organizer, Raúl Sendic. A few years earlier, Sendic and other Socialists had been involved in the organization of the Artigas Sugar Workers Union (UTAA). For several years the UTAA sought reforms through a campaign that culminated in a march on Montevideo in early 1962. However, little came of the march "for land and with Sendic" except harassment and notoriety. Sendic and other UTAA and Socialist militants began to see armed struggle as the only option. In July 1963, Sendic and others raided a gun club, and took a number of weapons. Relying no longer on legal methods, these people broke with their conventional pasts and went underground. Over the years they became the nucleus of the MLN.

Since Uruguay has no mountains or jungles suitable to rural guerrillas, MLN strategy envisions a revolutionary war in the city—literally *the* city, since about half of Uruguay's 2.8 million people live in Montevideo. It is to be a guerrilla war in the basic sense: a war of mobility, harassment and above all political determination. Unable to outgun the regime, the Tupamaros attempt to destroy its authority and legitimacy. The guerrillas would create among the people the will to confront the government, while attacking the will of the regime to resist.

Because the city is the locus of the regime's military power, the MLN must operate within the grasp of the authorities, with its "liberated territory" continuously occupied by enemy troops. The resulting security problems can be handled only by clandestine organization. The MLN is built around columns of approximately thirty people, linked to a high command that presumably consists of column leaders and perhaps a few others. The

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columns, held together only by liaison at the top, operate with "tactical, but not strategic, autonomy," although it is possible that some columns are under direct supervision of the high command. The columns have their own bases, with factories, arsenals, presses and hospitals. Within each column are cells of five to eight people, including action groups, propaganda and supply units. Outside the columns are the CATs, the Tupamaro Support Committees, which do lighter work in a smaller area—minor logistical support, propaganda and, above all, intelligence.

By 1968, the Tupamaros had gained national recognition. During the previous months the government of Jorge Pacheco Areco had closed six political parties and two newspapers; after a worker-student strike, it imposed emergency security measures, and in response to 1,400 strikes in 1966 and 1967, it established wage-price ceilings. Instrumental in the matter of wage controls was Ulysses Pereira Reverbel, a friend and adviser of the President. Pereira had become known for his militant anti-worker, anti-student, anti-subversive policies and he was thus a logical subject for the MLN's first abduction on August 7, 1968.

The seizure of Pereira Reverbel was the first of many kidnappings whereby the Tupamaros served notice on the Uruguayan ruling class that it was personally vulnerable. Even when the government refuses to ransom prisoners, kidnapping can be a devastating weapon; it proves that the government cannot protect certain "outstanding" citizens, that it cannot prevent the guerrillas from enforcing their version of People's Justice.

In the second half of 1968, the MLN staged numerous bank robberies, bombings and arms appropriations. The next escalation of its tactics came on February 14, 1969, with a raid on the Financiera Monty, a financial holding company. The very form of organization of the Financiera, involving interlocking accounts, had been outlawed by the Banking Act of 1967—outlawed, but not punished. At the Financiera, the MLN found and removed several ledgers and modest amounts of three currencies. Examining the ledgers, MLN accountants found evidence of massive currency speculation, but this was not announced for several days. Nor did the government announce the robbery: it preferred to investigate in silence. Thus a scandal ensued with the appearance of a leaflet describing the raid and denouncing Pacheco for covering the fraudulent activities of his friends. Before he could be forced to order a public investigation, a mysterious fire destroyed documents crucial to proving the MLN's charges.

Only four days after the Monty action, the MLN struck again, this time at the San Rafael Casino, where OAS conferences have been held. The key to the action was Honorio Alejandro Manuel Grieco Nieves, a casino employee. Grieco had long been a leftist and a unionist, but had separated from his earlier organization, feeling that the time had come "to take decisive action." In late 1968 he was approached on the street by Raúl Sendic, and after some discussion agreed to collaborate. When the MLN commandos entered the casino months later they knew the location of critical items, who had what keys, even the names of the employees. As a result the MLN netted 55 million pesos. When it was discovered that part of the money belonged to casino workers, that part was returned. Grieco Nieves' alibi was airtight, and he was arrested only because an informer had seen him and Sendic apparently breaking into a house months earlier. Similar examples of collaboration are Lucia Topolansky Saavedra, an MLN leader who worked at the Financiera Monty; Lieut. Fernando Garín, who directed the assault on the Naval Instruction Center; Daniel Ginovart, a clerk at the Bank of the Republic, and Omar Barbieto Filipone, a gardener on the Oracio Mailhos estate.

For the next six months the Tupamaros limited themselves to less dramatic activities. Two bank robberies brought in 30 million pesos, and arms and ammunitions seizures were made. A major propaganda action was the burning of a General Motors plant to greet Governor Rockefeller, followed by clandestine radio broadcasts denouncing him, seizures of radio stations, and occupations of homes of police and government officials. Then on September 9, 1969, the Tupamaros kidnapped bank president Gaetano Pellegrino Giampietro as insurance for the safety of striking bank workers. Pellegrino was released in November after a donation of 15 million pesos had been made to recipients designated by MLN.

The best known action during late 1969 was the occupation of the town of Pando on October 8, to commemorate the death of Che Guevara. Posing as a funeral party, one group of Tupamaros hired a fleet of cars to drive them to a distant cemetery. En route the drivers were overpowered and the cars used to ferry the commandos to Pando. With other Tupamaros who had entered the city individually, the group split into three units and captured the police and fire stations and the telephone exchange. With the nerve centers of the town under control, the commandos robbed several banks, gaining between 60 million and 100 million pesos, but killing one bystander. After fleeing Pando, one group encountered a roadblock and in the ensuing gun battle three Tupamaros died and a dozen were captured.

The government inflicted other losses, especially the capture of a number of Tupamaros in October. In a letter of November 1969 to the police, the MLN warned that unless torture of prisoners and other police brutality were stopped, those responsible would suffer. Police Inspector Hector Moran Charquero had been personally warned by the MLN. His reply, according to common belief, was to castrate a Tupamaro on learning of the prisoner's recent marriage. Soon thereafter, on February 16, Moran Charquero's car was blown from the road by machine-gun fire and the inspector died instantly.

A related, if less deadly, action is the occupation of the homes of supporters and officials of the regime. The intruding guerrillas hold a brief discussion with members of the family, explaining what the father or husband of the house does to guerrillas and what the guerrillas will do to him if he continues. This type of action has proved an effective means of nonviolent terrorism, because the guerrillas are obviously not making idle threats.

As 1970 wore on a crisis developed. In March, thirteen guerrillas had escaped from the Women's Prison. On April 15 some 100 million pesos were taken from tobacco magnate Oracio Mailhos. At the end of May a Navy

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training center was assaulted and 421 weapons and 10,000 rounds of ammunition seized. During July more than a dozen families of police officials were visited and Judge Daniel Peyera Manelli (who had tried many Tupamaros) was kidnapped. On July 31 the guerrillas attempted to kidnap three foreign officials. USAID Public Safety Officer Dan Mitrione and Brazilian Consul Aloysio Días Gomide were taken, but U.S. Embassy Secretary Gordon Jones escaped. While thousands of troops scoured the Montevideo area, the government began to wobble. When USAID agronomist Claude Fly was kidnapped a week later, Pacheco was reported to be on the verge of resignation. But then, within hours, a high command MLN meeting was surprised by the government forces and several important figures arrested, including Sendic, Raúl Bidegain Greissing, Alicia Rey Morales and Alberto Candan Granjales. Another leader, Luís Martinez Platero, was caught the next day. While Pacheco had publicly refused to negotiate on the kidnappings, private talks were going on throughout the crisis. With the windfall capture of the leaders, however, Pacheco felt secure enough to harden his bargaining position. The next day, August 9, Dan Mitrione was killed by the Tupamaros.

Pacheco held to his course, apparently certain that the MLN could not survive without its leadership. However, on November 12 the Tupamaros staged the biggest robbery in Uruguayan history, taking more than $4 million in jewels from the Bank of the Republic. Scarcely two months later, on January 8, 1971, British Ambassador Geoffrey Jackson was kidnapped. Despite successes like the capture of Lucia Topolanski Saavedra, the government was again in a bad position. To complement martial law, "Operation Fan" was instituted in an effort to search all 300,000 homes in Montevideo—without much success.

Except for the big jailbreak, which was basically a defensive action, the MLN scaled down its activity during mid-1971. The reason was not weakened capability but the elections of November 28. Moderate leftists, including Christian Democrats, Socialists and Communists, had come together to form the Broad Front (FA) in an effort to duplicate Allende's electoral victory in Chile. While the Tupamaros do not particularly believe in the peaceful road to power, their policy toward the Front shows a certain amount of flexibility and prudence. Rather than risk a debacle like that suffered by the Armed Forces of National Liberation, which had tried unsuccessfully to disrupt Venezuela's 1963 elections, the MLN chose to support the Front's electoral adventure.

Many observers saw the possibility of a Broad Front victory, and polls showed the FA with a sufficient plurality. Right-wing attacks (both verbal and physical) became increasingly strident as it began to seem that the Front was about to challenge the traditional Blanco and Colorado Parties. Yet on election day, the FA polled only 20 per cent of the votes.

Any interpretation of the election must take into account Uruguay's peculiar election laws. Each party fields several candidates for the general election, and whoever among them gets the largest personal vote also gets the votes of the other candidates of his party. Party totals are then compared to determine the victor. It is as though primary and general elections were conducted as one.

Because of this arrangement, the social and ideological lines between parties are blurred. A Blanco Nacional Party liberal, Sen. Wilson Ferreira, tallied the most personal votes, followed by the FA's Gen. Liber Seregni and the Colorado Party's Juan María Bordaberry, who was Pacheco's protégé. But the Colorado's six candidates totaled more votes than either the Blanco or the Front candidates. Alleged irregularities in thirty-eight districts of Montevideo and some 70,000 absentee ballots delayed announcement of the results, but earlier this month the Colorado Party and Bordaberry were declared the winners. It is thought that in the new government the Colorado Party will have forty-one deputies and fourteen Senators, the Nationals forty and twelve, and the Broad Front eighteen and five.

The Broad Front's program included nationalization and land reform, and Ferreira's, while more modest, was respectably liberal on these issues. Since Ferreira and Seregni pulled the most personal votes, the elections were hardly an unqualified victory for the conservatives, nor has Bordaberry a mandate to preserve the *status quo*. If his government is to be effective, the new President will have to lure some of the more conservative members of the National Party into his camp.

A large fraction of Uruguayans did vote for the *status quo*, but a larger fraction voted for reform. Irregularities notwithstanding, the election itself was probably more or less honest; it was otherwise with influences on voting, especially of landowners on rural people. Traditionally, peasants vote the way their patrón wants them to because he can make their lives miserable, if not unendurable. And undoubtedly some of the conservative vote was obtained in this way. In short, it would be a mistake to suppose that the elections have resolved the crisis of Uruguayan politics. The leftists did not take power as they had hoped, but neither the Tupamaros nor the Broad Front will quietly evaporate. (For that matter, neither will the unrest and desire for change which spawned them.) For the Tupamaros, the most important result of the election will probably be the continuation of the Broad Front as a mass leftist organization.

Relations between the Front and the MLN have been tenuous, but not hostile. The two groups complement each other, offering the Left a chance to pursue mass and armed struggle simultaneously. There is evidence that the Tupamaros have "infiltrated" the Front somewhat, and will try to use it as a liaison between the MLN and the masses. At the same time, such an association can provide the FA with something it may badly need in the future—protection.

As guerrilla violence subsided during the campaign, counterguerrilla artivities began and intensified. Assaults on FA offices and activists were numerous, and an attempt was made to assassinate General Seregni. Some of the violence was directed at the MLN, at least one Tupamaro being tortured to death by rightist commandos. Judging from the Brazilian and Guatemalan examples, one may predict that counterguerrillas will persist in Uruguay, and the FA may have urgent need of its violent cousins.

Since the elections, the Tupamaros have:

¶Delivered a truckload of peeled potatoes to a hospital

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for contagious patients, together with pictures showing prisoners of the Tupamaros peeling them.

¶Sent President Pacheco photos of himself in day-to-day activities (shaving in the nude, walking with his bodyguards, sitting in an armored car) with a telescopic sight focused on his head.

¶Bombed the Punto Carretas Golf Club to commemorate the first death of a Tupamaro in 1966.

¶Seized twenty radio transmitters from a taxi center.

These exploits suggest preparations for a return to the intense activity of pre-election days, probably aimed at the new government, its supporters, and the counter-terrorists. If the MLN directs too much attention to the anti-guerrillas, it runs the danger of allowing the government to interpret the conflict as one between Left and Right terrorists. The government could thus rise above the conflict and become the arbiter of a civil war between private citizens, rather than being the antagonist of an insurgency. Nevertheless, if rightist violence continues, it is hard to imagine the MLN not taking its revenge.

Perhaps Bordaberry will have greater luck against the Tupamaros than did his predecessor, but if he does not then his proclaimed "ideological affinities" with the Brazilian regime might become political affinities as well. Speculation about a Brazilian intervention diminished when the Broad Front was defeated; but the Brazilians believe they have the formula for urban counterinsurgency, which together with their limited respect for constitutional government, might make them amenable to assisting a threatened Uruguayan Government.

Little mention has been made here of the social crisis underlying the political situation in Uruguay, but the effect of rampant inflation and declining export values should not be underestimated. The "Switzerland of the Americas" image is an anachronism, and one should not be too quick to attribute all of Uruguay's problems to a band of nihilistic leftists. The future of this deeply troubled country is by no means clear, but it is likely that the Movement for National Liberation will play a significant part in determining it. If the Tupamaros win, they will probably establish a revolutionary dictatorship like that in Cuba. But they must win first. As one Tupamaro put it, "It is true that we are in the mouth of the monster, but it is also true that he is gagging on us." □

LAMENT FOR A HYBRID

THE POLITICS OF INTELSAT

BRENDA MADDOX

Mrs. Maddox is an American journalist on the staff of the London Economist; *she writes about American affairs and about communications.* Beyond Babel, *her book on problems raised by the new communications technology, will be published by Simon & Schuster in September.*

Let it never be said that communications satellites lacked their own start in life. Congress created a new kind of corporation in 1962 to exploit this new technology, even before it was fully developed. But there were congenital contradictions in the Communications Satellite Corporation (Comsat), and these were in turn transferred to Intelsat, the international organization put together by Comsat to spread the benefits of satellite communication around the world. Largely as a result of these structural flaws, Comsat and Intelsat so exhausted themselves in fighting each other during the formative years of satellite communication that many of the opportunities that originally existed have been lost.

Intelsat, which has eighty-one member countries, might have led the world in planning the use of satellites for education and for the exchange of television programs. It might have become a single communications system serving the whole world. It might have become a model for international commercial cooperation, as well as a unique partnership between East and West. Intelsat, under permanent arrangements which are expected to go into effect in a matter of months, does none of these things. In fact, one of its founders, Prof. Abram Chayes of Harvard Law School, who was legal adviser to the Kennedy administration, has told Congress that in some respects Intelsat represents "a hope lost."

Perhaps Comsat and Intelsat were blighted from the start. Certainly, President Kennedy's July 1961 policy statement on satellite communications was riddled with contradictions. At that time, it was obvious that the satellites which had been produced as part of the national defense and space programs were going to be useful for commercial communications. Kennedy suggested that the United States develop this technology "for global benefit at the earliest practicable time." To that end, he proposed that the American part of such a system be run by a private company, since the American custom was to place communications in the hands of private enterprise. Yet he invited the other nations of the world, whose communications are public facilities, to participate in that system as part owners. He asked that the satellites serve parts of the world where service is uneconomic; he also asked that they operate so economically as to reduce overseas communications rates. In other words, the system was somehow to be both American and international, both profitable and altruistic.

Kennedy's ambiguity was forced on him by politics. Those who wanted American commercial communications satellites to be owned by the private communications companies, chief among which is the American Telephone and Telegraph Co. (AT&T), were in deep conflict with those who wanted it publicly owned, as is the Tennessee Valley Authority. The battle in Congress was bitter. Five committees held hearings on various satellite bills, and AT&T fought for what it wanted—satellites in the hands

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of a closed corporation, with shares restricted to itself and other carriers—with such lobbying as had not been seen for years in Washington. The bill that moved toward passage contained the Kennedy administration's ingenious compromise: it proposed a corporation to be owned half by investors from the general public, half by the carriers. Yet this compromise so enraged a group of liberal Senators—they saw it as a giveaway of the $60 billion that American taxpayers had invested in the space program—that they filibustered. Sen. Wayne Morse, for one, vowed to hold on "as long as God gives me strength." But the Senate finally invoked cloture, which it had not done for thirty-five years, and Comsat, the hybrid corporation, was born in August 1962.

The joint ownership of Comsat, half by the public and half by the carriers, was to be reflected in its board of fifteen directors. Six were to be appointed by the carriers, six by the ordinary investors and three—the only concession to the public interest—were to be appointed by the President. This patchwork did accomplish one thing; it shut AT&T out of the satellite system, apart from the influence it could exert on Comsat's board. But that also meant that Comsat would have, as the dominant influence on its board, the company that had bitterly fought against its very existence and that was heavily committed to the development of submarine cables, which are in many respects a rival technology to satellites. And as though that did not promise enough trouble, Comsat also had not one but three parts of the federal government supervising it—the Federal Communications Commission, the State Department and the President. Thus hobbled, Comsat went traveling in 1963 to Canada and Western Europe, to find some international partners fast.

Now there may have been in the United States men with the vision and the tact to persuade foreign authorities to join into partnership on such ill-defined terms, but such men were not chosen to lead Comsat. In fact, it may be argued that many of the subsequent troubles of Comsat—and later of Intelsat—grew as much from the miscasting of its top jobs as from its contradictory charter. The chairman of the board, Leo Welch, had just retired as head of Standard Oil of New Jersey. The president, Dr. Joseph Charyk, was an aeronautics professor who had been an Under Secretary in the Air Force. The vice president for international affairs, John A. Johnson, had been counsel to NASA. Tall, abrasive men, inexperienced in diplomacy, eager to get their satellite business started, they did not conceal their impatience with foreigners who, far from being grateful for the invitation to participate in an American-made system, wanted to haggle about the conditions. Even now, Dr. Charyk, a handsome, uneasy man who is still Comsat's president, believes there was no need to take in outsiders. "We could have put up a 100 per cent U. S. system," he says.

In the initial talks of 1963, Comsat would have preferred to deal with each country separately, and with posts and telecommunications men, rather than with Foreign Office diplomats. But the European governments were afraid that their own industries were going to be shut out of space technology before they had a chance to learn it. So they decided to improve their bargaining power by negotiating with Comsat as a group. With the formation of the European Conference on Satellite Communication in May 1963, Comsat lost its hope to keep governments and politics out of the talks.

An agreement to initiate an international satellite system was finally reached in May 1964. There were actually two agreements, reflecting at the very start the profound conflict over whether what was being established concerned foreign policy or commercial communications. Twelve countries, including Japan and Canada, signed in August 1964; several others came in shortly after. The terms are important, for they set the pattern from which Intelsat, as it began to emerge as a separate entity from Comsat, tried, and in the end failed, to escape.

What was created was a consortium in which countries would contribute toward the $200 million expected to be the eventual cost of a global communications satellite system. Together, the contributors would own the system. But a country could not invest just any amount it chose. Its investment, and its subsequent influence in decision making, were determined by the amount of international traffic it was expected to send through the completed system. Any such formula would inevitably give the United States the dominant position, for it generated the bulk of the world's communications traffic, domestic as well as international. But the particular definition of "international" traffic that was adopted favored the United States rather blatantly; it allowed domestic traffic that covered distances of more than 2,500 kilometers to be counted as international traffic, and toward influence in the consortium. The United States and Comsat, its representative on the consortium, got the benefit of transcontinental and mainland-to-Hawaii communications, while none of the other members could produce any domestic traffic that covered comparable distances.

At this point, the consortium had no name. But it did have a governing committee, Interim Communications Satellite Committee (ICSC). To sit on the ICSC, which voted on all financial and technical details, a country had to have an investment quota of 1.5 per cent. Smaller countries could pool their shares to acquire a seat; others were not represented at all. Comsat held for the United States 61 per cent of the vote on the ICSC—a clear veto power. Britain was a weak second, with 8.4 per cent; the rest were far below that. But Comsat's influence was even greater than the percentage of its vote, for under the agreements, it was to manage the system. Not only would it collect a fee from the consortium for doing so but it would be in charge of the books, would deal with the aerospace industry and prepare decisions about contracts for the ICSC's attention. The foreign partners saw clearly that these terms were slanted to favor the United States, but they had no alternative to offer and they signed, making, however, one condition—that the agreements were temporary and to be superseded by a permanent arrangement for the global satellite system, to be negotiated in 1969.

The spectacular success in 1965 of Early Bird, the first commercial satellite, increased the desire of smaller and poorer countries to join the system. The Russians might have been tempted, but the investment formula kept them out; they have little international communica-

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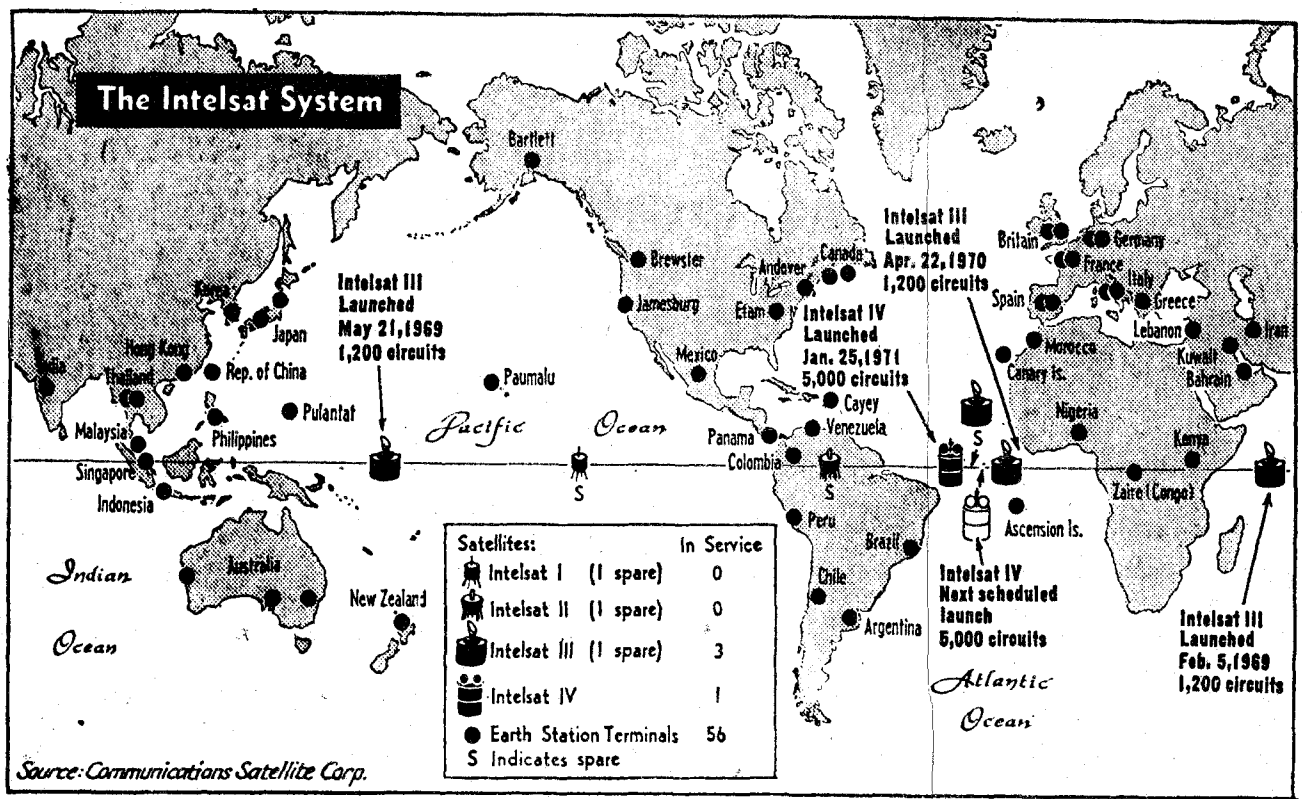

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tions traffic and would have been down below Switzerland in voting strength. Countries of the so-called Third World did not mind these terms, nor did they aspire to develop their own space industries. What the junior partnership with Comsat offered them was modern communications with the rest of the world (most of them had been conspicuously neglected by the cables of the older communications companies). Their growing influence in the consortium gave Comsat yet another set of irreconcilable interests to contend with—the developing countries wanted satellite communication soon and cheap; the industrial countries were primarily concerned that their industries share in the construction of the satellites, even if that meant slower and more costly progress.

ICSC meetings were never very happy affairs. The foreign members came to Washington roughly every eight weeks, meeting at Comsat's headquarters. They were visitors; Comsat was on home ground. Moreover, Comsat's representative, John Johnson, was until 1967 always in the chair. Johnson is the archetypal all-American boy grown up to be bank president. Under his thumb, the committee grew petulant. Could not the consortium have a real name? Why did all the news about satellites have to go out under Comsat's name, if it was in fact internationally owned? In response to these complaints, the name "Intelsat" was bestowed on the consortium. President Johnson accorded certain diplomatic privileges to the members of ICSC, and Comsat made an effort to bring some non-Americans onto its staff. But Intelsat hardly became a household world. Taxi drivers had never heard of it (it was tucked away in a corner of Comsat's headquarters) and it was not listed in its own right in the District of Columbia telephone book until 1969. The press releases continued under Comsat's name.

The most important decisions that ICSC had to make concerned contracts for new satellites, and it was over these that Comsat revealed its insensitivity to the ambiguity of its triple position as (*1*) Intelsat's manager, (*2*) the representative of the U. S. Government in Intelsat, and (*3*) an American commercial company committed to making money for its shareholders. In April 1966, for example, Comsat asked ICSC to approve a contract to TRW, Inc. for the third generation of satellite, the 1200-circuit Intelsat IIIs, *before* it had the FCC's permission to do so. When the Hughes Aircraft Corporation, maker of Early Bird and Intelsat II, lost the Intelsat III contract, it complained to the FCC about this oversight, and Comsat was forced to go back to ICSC and explain that the contract had to be held up pending FCC approval. The international partners were furious. What kind of international organization was it that could not act without the consent of a domestic agency of the American Government? Both the FCC and the State Department scolded Comsat; such haste and inattention to established procedure was not to be repeated.

But it was. In 1968, a dispute arose in ICSC about whether the next big step forward should be an expanded version of the Intelsat III or a much more sophisticated, entirely new kind of satellite, the Intelsat IV. Comsat favored the latter, because, with modifications, it would be useful as an American domestic satellite. Well before the matter came up before ICSC, Comsat rushed to the FCC and asked for immediate approval of its Intelsat IV plan. The FCC gave it, but not without a stinging rebuke from Commissioner Nicholas Johnson, who dissented, saying, "This is not the first time we have been overwhelmed into providing our rubber stamped imprimatur in the face of a last-minute Comsat rock-slide." As a matter of fact, ICSC was not asked to make the final decision on the Intelsat contract until September, and the final text of the proposed contract, worth $73 million, was not even handed

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round until the same day the vote was to be taken.

There was much else to fight about. Some on ICSC objected to Comsat's ambition to build its own laboratories, because they saw no need—all the satellites were being built by outside manufacturers, and Intelsat would have to pay for nearly 50 per cent of the activities carried on in Comsat's labs under Intelsat's name. But Comsat went ahead, and Comsat Labs exist, gleaming and unbusy, out in the Maryland countryside. Then there was a dispute about the extent to which Intelsat's contracts could be placed abroad. All that the Europeans and the Japanese could get was about a one-fifth share of subcontracts on the Intelsat IV, but the underdeveloped countries objected so strongly that what was called "international participation" was cut to the bone on later Intelsat IV models.

Had it not been so brash, Comsat might have been pitied. Its strength in Intelsat was counterbalanced by its weakness at home. Shareholders, who had snapped up the stock when it was offered at $20 a share in 1964, were pressing for dividends. AT&T was pushing on with its expansion of transatlantic telephone cables. The FCC not only gave AT&T permission to build a fifth such cable but it vetoed Comsat's hopes again and again. The bitterest disappointment came when the commission refused Comsat permission to build an American domestic satellite system. (After six years of deliberations, the FCC still has not made up its mind about domestic satellites.) In all its decisions favoring the more established communications carriers, the last thing that the provincial FCC could appreciate was that if Comsat were strengthened in relation to its domestic competition, it would not have to bully Intelsat.

In 1968, as the deadline for renegotiating the Intelsat agreement approached, tensions increased. The French were particularly restive. They wanted to put up their own satellite system for France and French-speaking Africa. The Canadians were determined to have a national satellite network, whether Intelsat approved or not, and the Japanese seemed headed in the same direction. The chance that Intelsat would ever be the single global system originally dreamed of became exceedingly remote.

Then, too, the discontents at Intelsat were no longer secret. The British legal adviser to the United Nations spoke at an international conference about Comsat's role as "Lord High Executioner and Lord High Everything Else." And in August 1967 President Lyndon Johnson recognized the incipient rebellion. Anticipating the 1969 talks, he declared, "We seek no domination of satellite communication to the exclusion of any other nation, or group of nations." He urged the Russians to join Intelsat. But Johnson's remedy was inadequate. He set a Task Force on Communications Policy to study the problem, among many others presented by the new communications technology, and then when its report was sent to the White House belatedly, in December 1968, a month before Nixon's inauguration, President Johnson acted as if it did not exist. (The report, prepared by a group led by Eugene Rostow, then Under Secretary of State, was rash enough to suggest that AT&T give up its international communications business; the resulting protest from what is after all the biggest private company in the world affected even Mr. Johnson.) As the incoming Republican President was hardly likely to endorse the report, the United States entered the Intelsat negotiations of 1969 with no clear national policy.

ICSC was supposed to present its own recommendations for the permanent structure of Intelsat to the negotiations, scheduled for February 1969, but its members found that they agreed on little except that the future Intelsat should have a board of governors, successor to ICSC, and a kind of general assembly for all members, a feature conspicuously missing under the interim arrangements. On one point, however, there was near unanimity —Comsat not to continue as manager. Of eighteen members voting on the day the question was put to ICSC, only John Johnson voted for Comsat. Comsat therefore had to go into the full-scale conference of Intelsat to try to win for the future the job of manager for which its closest partners refused to recommend it.

When the conference began (it was the biggest international conference ever held in Washington), the head of the U. S. delegation, Leonard Marks, believed that its work could be wrapped up in three weeks. He was wrong. It took more than two years to produce the agreement, which only this spring or early summer is expected to acquire the signatures requisite to put it into effect.

After the first month, the conference adjourned, little having been decided. Of all the issues that divided the members of Intelsat (there were by then about seventy), the bitterest was that of management. A year later, in February 1970, when they all trooped back for another try, the problem of management seemed as insoluble as ever. Comsat was even less inclined to give in to wishes for an international directorate to replace it as manager, because a month earlier the Nixon Administration had issued a policy memorandum on domestic communications that was a bitter blow to Comsat's hopes. Let the sky be open to all qualified applications, said the White House to the FCC, and let competition decide who the survivors shall be. Thus ended Comsat's claim to monopoly over domestic satellites. If it then surrendered control of Intelsat, what would be left to it except a dull role as seller of satellite circuits to AT&T and other American international carriers?

Suddenly a compromise emerged. The Australians and Japanese suggested that, for six years after a permanent agreement took effect, Comsat should manage Intelsat under contract. Then Comsat should turn over the management to a director general and an international staff, who might then *elect* to retain Comsat for managerial services. During the six-years' transition period, a secretary general would watch Comsat's performance as manager and report to the new board of governors, successor to ICSC, how well the duties were carried out.

To general astonishment, Comsat accepted the compromise. The length of the negotiations was becoming embarrassing, and being far and away the biggest investor in the system, it could probably steer Intelsat by its strength on the board of governors. The press gave out the news that the long-awaited agreement was imminent, the Americans having yielded to international pressure. But the accord proved illusory.

A new fight broke out on the more fundamental issue that had lain unresolved since 1964. Was Intelsat an

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association of governments, in which all members had certain equal rights, or was it a commercial organization, in which the big investors tolerated little interference from their minor partners?

This question took the form of a dispute over the nature of the general assembly, in which governments (as distinct from communications entities like Comsat, the British Post Office or the Deutsche Bundespost) were represented. It was agreed that in the assembly each country would have one vote. But for what? The smaller investors wanted a powerful assembly that could give orders to the board of governors. But the Americans found that unthinkable. A powerful assembly would turn Intelsat into an international debating society, like the United Nations. On the other hand, many of the other bigger investors, Britain for example, sympathized with the desire of the poorer countries to have a real voice in Intelsat. Moreover, they themselves wanted to be sure that their foreign offices could influence Intelsat through the assembly. Because so much about satellite communications concerned defense, space and foreign aid, they did not believe that a country could trust its full international interests in Intelsat to their telecommunications man sitting on the board of governors.

The United States won this issue. By the third full conference in April-May 1971, it was decided that Intelsat should have an assembly with powers merely to recommend, but not to determine, policies for Intelsat. Everybody was getting tired. Intelsat would clearly be nobody's ideal. When an agreement was finally reached on May 21, 1971, President Nixon echoed the general spirit of resignation by saying: "for seventy-nine nations [the size of Intelsat then] to agree on anything is a super accomplishment." The agreement was to take effect when two-thirds of the members, representing two-thirds of the investment, had signed. That is now well on its way to being achieved although France, at this writing, is still so dissatisfied with the terms that it has not signed.

In its final form, Intelsat has four layers. The board of governors will run it to all intents and purposes, making all decisions on financial and technical matters. Voting on the board will be weighted according to investment. Comsat will have 40 per cent of the vote (it agreed to surrender its veto power). A few seats will be awarded on a regional basis, as a gesture to the poorer countries, but their voting strength will be very weak. The second layer of Intelsat is called a meeting of signatories; the telecommunications representatives of all members will get together once a year to vote on the reports presented by the board. The third will be the impotent assembly, meeting only every two years. And then, fourth, will be the executive—the director general plus Comsat or some future successor—charged with running day-to-day business.

The difficult question of who is to manage Intelsat after Comsat's six-year contract runs out is still unanswered. The board of governors must, under the terms of the agreement, begin next year to seek reports from at least three management consultants in various parts of the world. When these are in, the assembly must vote on what kind of management is to be installed. To put it bluntly, in about five years' time, the whole fight about Comsat's role in Intelsat will break out again.

Has all the talk been worth it? Hardly. Intelsat is overstructured and underpowered. The functions of each layer of the organization have been so rigidly described that Intelsat will find it difficult to move beyond public communications and into the provision of specialized services by satellite which would be the logical direction for its commercial growth. What is more, the sense of international good will that satellites first engendered has disappeared. All sides lost what they wanted most. Comsat has no guarantee of managing the system forever. The international directorate, for its part, will take over so late in the 1970s that it will not be able to change very much about Intelsat. The Europeans lost their wish for some promise of special consideration for their industries. The developing countries have been relegated to the periphery of policy making. The Russians cannot dream of joining Intelsat under the weighted voting formula. And the United Nations did not get what it has been requesting for years—a few free satellite circuits.

What went wrong with Intelsat was that the United States overprotected its interest in what could not possibly be taken away from it—its superiority in space technology. At the same time, it was too insensitive to the political implications of Intelsat and to the feelings of its partners. The Europeans were both greedy and disorganized. Furthermore, their own telecommunications organizations were, like AT&T, prejudiced in favor of submarine cables.

What has been lost is the best chance that has existed to create a model for international commercial cooperation. No one mentions Intelsat now when discussing possible institutional arrangements for the commercial exploitation of the sea bed. There even begin to be signs that an entirely new and separate association will be formed to operate satellites for international air navigation control. While it is undeniable that international satellite communications exist today on a scale undreamed of a decade ago, the existing system is a technical achievement for which most of the credit must go to the American aerospace industry and NASA. Intelsat, on the other hand, may have produced some adverse effects; it may have encouraged a proliferation of independent satellite systems and created the real possibility that there may some day be international competition for the best parking places in orbit. As a new form of international cooperation, Intelsat's main contribution has been that of an example to be avoided. □

LETTERS *(Continued from page 258)*

in my book, *The Pavers and the Paved*, in the footnote to page 58. I agree that truckers have "complained for years about paying what they consider to be a disproportionate amount in highway taxes." As my book and its source, The Automobile Manufacturers Association's *Motor Truck Facts* made clear, their complaints are unfounded.

Second, it matters not whether Opinion Research Corporation did or did not clear the press release in advance. The end result was, as I described it, a "bowdlerized" version of the basic data. I believe that HUFSAM should have issued the complete basic data in the first instance. If it had, Mr. Bastarache would not need to be squabbling about it now with me or anyone else. *Ben Kelley*

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BOOKS & THE ARTS

Wrestling With the Famous Specter

SELECTIONS FROM THE PRISON NOTEBOOKS OF ANTONIO GRAMSCI. *Edited and translated by Quintin Hoare and Geoffrey Nowell Smith. International Publishers. 579 pp. $13.50.*

MICHAEL HARRINGTON
Mr. Harrington's books include The Other America *and* Toward a Democratic Left.

Antonio Gramsci is one of the most fascinating thinkers in the history of Marxism. A young Italian (Sardinian) intellectual who played a major role in the Turin labor movement during World War I, he was a founder and leader of the most remarkable Communist Party in Europe. Jailed by Mussolini, he filled his notebooks with observations on Marxist theory, Italian history, contemporary politics and an extraordinary range of other topics. He was rightly contemptuous of those Beardians (if I may translate his perspective into American terms) who thought that Marxism asserted that economic interests determine the course of history. His writings are therefore suffused with that sense of complexity and dialectical contradiction which is central to Marx and foreign to most of the scholastics who have taken Marx's name in vain.

When Gramsci was sentenced to jail in 1928, the public prosecutor said of him, "We must stop that brain working for twenty years!" He failed, for Gramsci is a living force today, a generation after his death. This volume presents a wide, and quite representative, selection taken from the six volume Einaudi edition, the *Quaderni del carcere*. Quintin Hoare and Geoffrey Nowell Smith, the editors, have translated almost all of the crucial passages and provided a long historical introduction. I am not competent to judge the history, having only a superficial knowledge of the intricacies of Italian Communist politics. But I would note that it is refreshing to find Trotsky and Bukharin treated as historical figures in a volume issued by International Publishers, a house so long associated with the pro-Moscow wing of world communism. That, I knew, could happen in Italy: several years ago when I bought the *Quaderni* at the Communist Party bookstore in Rome there were even Trotskyist books on the tables and shelves. I hope that this book is a portent that such trends are developing within the much more dreary and orthodox world of American communism.

I can, of course, only briefly summarize a few of the leading themes in this long book (472 pages of Gramsci; a hundred pages of introduction). One of the most important, and most relevant to radical analysis today, is Gramsci's polemic against Trotsky.

In 1850, Marx and Engels underwent a basic change in orientation. After the euphoria of the *Communist Manifesto*—the specter of communism was not in fact haunting the Europe of 1848—and the defeats of the revolution, they had briefly turned to a bitter ultra-leftism and a united front with the Blanquists. But by the fall of 1850 they had regained their good sense and given up all hopes of a sudden, apocalyptic revolution. The struggle, Marx said as he broke with the left wing of the Communist League, might last for half a century. In Gramsci's analysis, that moment marked a watershed in the history of Marxism. In the pre-1848 period, Gramsci argued, one could talk of a war of maneuver, of sudden attacks by the revolutionaries against the reactionaries. But after 1848, social life became much more dense and institutionalized.

"Modern political techniques," Gramsci wrote in his notebooks, "became totally transformed after Forty-Eight; after the expansion of parliamentarism and of the associative systems of union and party, and the growth in the formation of vast State and 'private' bureaucracies" society had been fundamentally changed. Understanding this point, this dedicated Communist wrote, required one to recognize the difference between Russia and the rest of Europe: "In Russia, the State was everything, civil society was nothing; in the West, there was a proper relation between State and civil society, and when the State trembled a sturdy structure of civil society was revealed. The State was only an outer ditch, behind which there stood a powerful system of fortresses and earthworks. . . ."

Gramsci was profoundly right. How else explain that in Germany right after the war, with defeat and social chaos, the overwhelming majority of the workers, including the delegates from the Workers' Councils voted for the right-wing social democrats? But Gramsci is somewhat unfair to Trotsky in making him "the political theorist of frontal attack in a period when it only leads to defeats." In 1921, after all, Trotsky had been one of the leading opponents of the "theory of the offensive" in the Communist International and had fought against the disastrous rising organized by the German Communists (so did Rosa Luxemburg's heir in Germany, Paul Levi, who was then expelled from the German Communist Party for having been right. Trotsky, unfortunately, voted to uphold that incredible action in the Comintern).

I go into this history for a present purpose. If there is any single aspect of Marxism which confuses people today it is the disjunction, so carefully defined by Gramsci, between before and after 1848. The enormous changes in advanced capitalist society, including its complex dialectic of success and failure in integrating the workers, is often ignored. The simplifications of the *Manifesto*, with its vision of imminent and extreme polarization of the classes, are revived. Understanding how Gramsci, a revolutionary Marxist, dealt with this way of thinking can only be salutary.

Indeed, it is one of the marks of Gramsci's thought to be particularly attuned to the density of social life. In a fascinating discussion of intellectuals he points out how our understanding of that term is wrongly restricted to the obvious professionals, journalists and scholars, missing the "organic" intellectuals, the entrepreneurs during the rise of capitalism, the trade unionists of today, whose thoughtfulness is derived from economic and social function. And there are meditations on Italian history which are still challenging contemporary specialists in the field (see, for example, the debates on the "Gramsci" thesis on Italian economic development between Rosario Romeo and Alexander Gershenkron in the latter's *Continuity in History* and *Economic Backwardness in Historical Perspective*).

But how, then, did Gramsci, a Communist, escape the intellectual consequences of Stalinism? In the first stage of the debate over international Communist policy within the Italian party, he tended toward the Left opposition (Trotsky, he said in 1924—after the latter had written his *New Course*—demands "a greater intervention of proletarian elements in the life of the party and diminu-

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tion of the powers of the bureaucracy. . . ."). But in Italy Trotskyism became associated with Amadeo Bordiga, the leader of the ultra-left wing of communism, and Gramsci moved toward Stalin and the official leadership in Moscow. He was, however, spared the worst consequences of that decision by Mussolini's cruelty: jail insulated him from many of the degradations which were taking place in the world Communist movement.

And yet, at least an ambiguity remains. Gramsci's central notion of "hegemony" —not the seizure of power but the creation of a new view of the world, the rise of a culture as well as of a political movement—led him to stress the global character of the Socialist task, the need to revolutionize every aspect of life and not just the economy. He sometimes referred to that as a "totalitarian" process and his use of the term, as the editors rightly point out, should not be freighted with all of the Stalinist associations of dictatorship and terror which have come to be identified with it. Still, there are a few occasions on which Gramsci does tend to the anti-Socialist use of the word.

"A totalitarian policy," he writes, "is aimed precisely . . . at ensuring that all members of a particular party find in that party all the satisfactions they formerly found in a multiplicity of organizations . . .; at destroying all other organizations or at incorporating them into a system of which the party is a sole regulator. . . ." Such a development, Gramsci argues, can either be progressive or reactionary, Stalin or Mussolini, just as Caesarism in his theories can be positive, as with Napoleon I, or a retrogression as in the case of Napoleon III. There were, alas, a good many people who played with that notion of "positive" totalitarianism as a way to socialism. It was some time after Gramsci's death that it became utterly and completely clear that Stalin's totalitarianism does not lead to democracy but to more totalitarianism.

Had Gramsci lived he would, I believe, had seen through his own error. He was, as this collection demonstrates, much too frank and subtle a thinker to be long beguiled by Stalin's dictatorship. And the student of Marxism can, in any case, find rich insights in these pages. The brain, despite Mussolini and his prosecutor, lives. □

Before Growth of the Soil

MYSTERIES. *By Knut Hamsun. Translated by Gerry Bothmer. Farrar, Straus & Giroux. 340 pp. $8.95.*

RONALD DE FEO
Mr. De Feo has contributed reviews and criticism to the Saturday Review *and* Modern Occasions, *and short stories to various literary journals.*

The Norwegian writer Knut Hamsun is an author difficult to embrace wholeheartedly. His major novels, all produced in the 1890s, still seem fresh and unique, but at times they also appear rather crude and naive. One admires the clean, crisp, laconic style, the ability to interest a reader in a character's obsessions, the economical way in which a character is created, but one tends to cringe at the frequency with which a Hamsun hero cries out in joy or pain, announces that he is in love, extols the beauty and peace of nature, reports on mystical experiences. Hamsun's simple, frank, emotional monologues are, particularly in this day of the cool, elliptical approach to fiction, almost welcomed—almost, but not quite. Often we are told too much in them; what has already been implied is now directly stated. Perhaps the fault lies not in Hamsun but in ourselves. We are embarrassed by such displays of emotion. As readers of contemporary fiction we have grown accustomed to more indirect, unimpassioned expression. Despite its shortcomings for the very modern, sophisticated reader, Hamsun's early work certainly merits attention. Taken separately, the novels are impressive and haunting (with *Hunger* and *Pan* as the striking achievements), but read collectively they have an even greater effect and are, in a sense, far more interesting, for the reader can fully explore Hamsun's odd twilight world, follow the Hamsun hero from book to book, from one spiritual crisis to another.

For the past several years, the firm of Farrar, Straus and Giroux has been reviving Hamsun's early work. Although the author wrote a good many novels during this long lifetime (1859-1952), only his early books are of special interest today. Oddly enough, Hamsun's decline as a novelist began when he produced *Growth of the Soil,* for which he won the 1920 Nobel Prize. With that book Hamsun shifted gears suddenly and inexplicably, deciding to write simple epics of simple men at work rather than focus again on tortured and fairly complex souls. I have read excerpts from some of the later works and while the writing was as lucid as ever, I missed the dark, introspective Hamsun spirit of the 1890s.

Hunger (1890) is a brilliant, powerful first-person account of a young, starving writer who wanders through the streets of Christiania. He is responsible for his predicament for he wishes to earn a living as a writer and will consider no other work. One suspects that he welcomes his dilemma. All of Hamsun's characters are, to varying degrees, masochists—they torture themselves mentally or physically or both—and the writer is no exception. He doesn't have much patience with people. His hunger alienates him even more from the world around him. He is starving, but what do "they" care? While he rants and raves about his situation, he also seems, in a perverse sort of way, to get pleasure out of it—he is *really* an outsider now!

Pan (1894), a short, lyrical, beautifully written novel, tells the story of another outcast, Lieutenant Glahn, who settles in a hut near an isolated hamlet, and of his love affair with a strange, beautiful young girl. Again, as in *Hunger,* the protagonist becomes his own worst enemy. *Victoria* (1898) is almost *Pan* revisited. Although less intense and a bit more idyllic than the earlier novel, its protagonist, Johannes Moller, is just as tortured as Lieutenant Glahn. He too reaches out for a girl who is simply not destined to be his.

It is worth noting that no matter where a Hamsun protagonist happens to live—in a city (like the writer in *Hunger*), a primitive hamlet (Glahn of *Pan*) or a little town (Moller of *Victoria*)—he always seems to be cut off from his society, to be different, a stranger. The hero of *Hunger,* for example, is as isolated in his big city as Lieutenant Glahn is in his forest retreat. In *Mysteries,* which was originally published in 1892 and is the latest Hamsun novel to appear in English, we have almost the typical, alienated protagonist. I say "almost" because the young stranger, Johan Nagel, is by far the most complex, elusive and, finally, incoherent of Hamsun's creations.

One day, out of the blue, Nagel arrives in a small Norwegian coastal town. He makes an entrance worthy of the hero of a Western—he's quiet; he won't answer questions about himself; and, in the local café, he rescues the town weakling, a midget, from a brutish tormentor. So far so good. The reader expects that Nagel will now proceed to reform the town. What his object is we don't know, but we are eager to find out. Nagel is strong and reticent and somehow we want him to remain so. He interests us because he appears larger than life, and we would like him to retain his mystery. But in an unexpected shift, Hamsun enters his mind, and in a long monologue Nagel reveals himself to be a confused,

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intolerant and suicidal young man. Our opinion of him has now changed. He seems weak and mad, and we can't connect these qualities with the mysterious, commanding stranger who has dominated the novel thus far.

When Nagel talks freely to the townspeople, he becomes even more puzzling. (And he does, by the way, talk more *to* the citizens than *with* them—throughout much of the novel Hamsun records Nagel's lengthy monologues. Often the listener won't comment on what has been said, as if he hasn't really understood the thoughts expressed. Nagel could just as well have been talking to himself.) That Nagel does speak so freely is in itself difficult to understand since, in a private monologue, he has already expressed his fear of being enveloped by the masses. The great man must avoid the rabble, he says, sounding like Nietzsche and Coriolanus. Later on he again expresses his respect for the quiet, distant individual when he explains to the midget how such a person can dominate a crowd, stand out in a large gathering: "It's precisely because he contributes nothing that he constitutes a negative force and creates that gloomy atmosphere that makes the other guests talk in muted voices. . . . In this way, the person in question can become, paradoxically, the center of attention." But this is the same Nagel who has explained to Dagny Kielland, the girl with whom he has fallen in love, why he constantly relates his ideas to her, to the other townspeople: "I arouse your curiosity and make you pay attention to me; I shock you into taking notice." Perhaps Nagel would like to be a more reticent soul, but he is incapable of remaining silent for long. Talking aloud seems to make him feel secure (as it does the writer in *Hunger*)—he is not losing his mind for he is capable of expressing ideas; he speaks, therefore he exists: he is affirming his being. Like other Hamsun heroes he is terribly lonely and when he does hook a listener he wants to keep him hooked. With one of the women in town, "He chatted away, covering every imaginable topic, speaking at an intense, feverish pace, terrified at the thought that she might leave if he stopped."

Nagel also talks so very much because ideas, fantasies, memories keep flooding his mind, and he simply cannot hold them all. He has had many odd little mystical experiences during his short lifetime, and he keeps recalling them, hoping, finally, to explain them. But he cannot arrive at any answers. What can he say, for example, about the time he was walking along a road at night and met a strange little man who brought him to a room in which thousands of little angels appeared? This incident is simply mysterious, as mysterious as life and human nature, and it contains the constantly shifting moods, the elements of both beauty and horror which we so often find in Hamsun's work. The night is pleasant, tranquil, but then Nagel senses the little man walking by his side. Although he can't quite see him, he can hear him breathing. When he is taken to the strange room he is uneasy, but then his night turns into a "a fairy tale" for the angels appear, white and naked, and they fly by him, brushing his eyelids, touching his hair. The experience is almost an erotic one. But then the terror: he notices that the angels are blind and his soul is "in torment over those blind eyes."

Perhaps Nagel's past life would give us a clearer picture of him. But Hamsun here, as in his other novels, is interested in focusing primarily on the present, and we learn nothing concrete about Nagel's past. In a sense, the mystery of Nagel's character gives the novel a certain amount of suspense. Since he is so unpredictable and inexplicable we have no idea what he will do next, and we wait for the next new facet of his intricate personality to be revealed. The novel, it should be said, is also lively and compelling for other reasons. The writing itself is simple and clean. Many scenes are quite powerful and memorable, among them: Nagel's attempted suicide, his false declaration of love for a pathetic village woman many years his senior, his surprising violin performance at a town party. His pursuit of Dagny, the town beauty, is also quite fascinating—especially when we know from previous Hamsun novels that Nagel will have a great deal of trouble winning the girl. We wonder if this passion will result in tragedy; we remember how an intense passion for an unattainable woman destroyed both Glahn of *Pan* and Moller of *Victoria*.

But ultimately *Mysteries* is disappointing. Hamsun tries to juggle too many ideas. Since he is more of an instinctual novelist than an intellectual one, he fumbles much of the time. All of Hamsun's early novels are rewarding and this novel is no exception, but the main problem with *Mysteries* is that it is often more murky than mysterious.

A note on the translation: One welcomes the translator's attempt to find English equivalents for Norwegian colloquialisms. But too often those equivalents (Americanisms, for the most part) jar with the rest of the text and produce unintentional comic effects. For example, "He admitted that he too would suddenly become scared stiff . . ." is followed shortly after by "Why? Perhaps because he sensed a mysterious essence which so-called science was too obtuse and too

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insensitive to perceive, an essence emanating from an invisible power—the supernatural making itself manifest." The "scared stiff" is surely out of place in such a context. When the mysterious, veiled woman, Kamma, comes to speak to Nagel and uses a great many colloquialisms, they not only make her seem more rough and crude than pathetic and helpless (which is what, I think, Hamsun intended) but also destroy any seriousness and truth her words may have. Perhaps Hamsun wants her to appear as comic, but certainly not as comic as she does. I'm sorry to report that there are many such unfortunate instances. □

A Finger in Every Dike

RISE TO GLOBALISM: American Foreign Policy Since 1938. *By Stephen E. Ambrose. Penguin Books. 352 pp. Paper $2.45.*

COLD WAR AND COUNTERREVOLUTION: The Foreign Policy of John F. Kennedy. *By Richard J. Walton. The Viking Press. 250 pp. $7.95.*

RONALD RADOSH

Mr. Radosh is author of American Labor and United States Foreign Policy *(Random House) and editor, with Murray N. Rothbard, of the forthcoming* A New History of Leviathan *(Dutton). He teaches history at Queensborough Community College of the City University of New York.*

During the past ten years, it has become much more widely accepted that the cold war was not a Russian invention. Cold-war "revisionism" has made its impact. The shock of the Pentagon Papers has been eased for many by acquaintance with the historical analysis of such scholars as William Appleman Williams, Gabriel Kolko, David Horowitz and Walter LaFeber. Yet until now, there has been no overall synthetic account that tells what each postwar administration did and also provides a critical analysis of its policies.

This task has been realized by Stephen E. Ambrose's *Rise to Globalism.* As the title suggests, Ambrose is concerned with the developing globalist conception of America's role abroad. He realizes that this posture developed from the need to avoid a postwar depression by achieving new foreign markets—a problem, since "much of the proposed market place was closed." Ambrose sees postwar foreign policy as formulated particularly to prevent nationalization of American-owned property abroad, which meant an effort to create "an open door everywhere." The globalist shift was not mindless. "Politicians looked for areas in which American influence could dominate; the businessmen looked for profitable markets and new sources of raw materials; the military looked for overseas bases," and America began a "program of expansion that had no inherent limits." This basic stance was developed by the administration of Harry S. Truman; it is in its account of these years that Mr. Ambrose's book makes its most significant contribution.

By 1947, Truman and his advisers "saw communist involvement in every attack on the status quo anywhere and convinced themselves that the Kremlin was at the center of a master plot to conquer the world." To deal with what was regarded as a worldwide threat, they undertook to arm Europe. The program had to surmount an initial obstacle: the American populace was not yet ready for a new holy crusade, and Truman needed large economic and military largesse from Congress to meet the supposed threat.

The issue Truman found to get this funding was Greece, as the United States prepared to move into the areas from which Britain was forced to withdraw. But to mask their real purpose, Truman had to present his intervention as a step on behalf of worldwide freedom. Hence the Truman Doctrine was devised, and it "defined American policy for the next twenty years. Whenever and wherever an anti-communist government was threatened, by indigenous insurgents, foreign invasion, or even diplomatic pressure . . . the United States would supply political, economic, and most of all military aid." For Truman the terms " 'free peoples' and 'anti-communist' were assumed to be synonymous." Once the premise was accepted, the enormous interventions of future administrations were but a step away.

It was Korea, however, that allowed the Truman administration to finally achieve the enormous defense budget called for in the secret and influential National Security Council resolution 68. The drafters of NSC 68 asked for a $35 billion budget. This task Truman considered hopeless, calculating that a reluctant Congress would grant at most $17 billion. At least, until Korea. The crisis allowed Truman to put the recommendations of NSC 68 into effect. Ambrose is emphatic on one point: the Korean War, whichever side started it, was a boon—politically, economically and socially—to American imperialism.

As for the war itself, Ambrose corrects major errors in our understanding of it. First, he points out that the U.S. authorities knew that North Korea was planning to invade across the 38th Parallel. In fact, the State Department had prepared a resolution condemning North Korean aggression days before the attack. But unlike I. F. Stone, who argued in his book that Syngman Rhee started the war with covert American support, Ambrose writes that the North Korean action was "too strong, too well coordinated, and too successful to be a counter-attack." He believes that the North Koreans simply calculated that they could overrun the peninsula before the United States could reinforce South Korea. Moreover, American officials had already defined South Korea as outside the U.S. defense perimeter, and the North Koreans may very well have doubted that America would move in.

Second, Ambrose presents a major revision of standard accounts of the MacArthur-Truman dispute. Truman's assumption that American bombers alone would force the North Koreans back was quickly shattered. American troops were then brought in, supposedly only to restore the border at the 38th Parallel. But by August, the policy was to reunify Korea under the aegis of the South.

Now, the policy of crossing the 38th Parallel and unifying Korea *was not* MacArthur's. Rather, it was the new policy of the Truman administration. The President's advisers argued that China would not intervene on Korea's behalf. Quoting from instructions issued by the Joint Chiefs of Staff to MacArthur, Ambrose writes that stepping beyond containment "came after full discussion and consideration in the highest levels of the American government. Truman later implied, and millions believed, that MacArthur had gone ahead on his own, that it was the general in the field, not the government at home, that had changed the political objective of the war in the middle of the conflict. Such was never the case. Truman, with the full concurrence of the State and Defense Departments and the Joint Chiefs, made the decision to liberate North Korea." Much later, after MacArthur's February 1951 offensive, Truman moved away from the objective of a military victory. But that policy had itself arisen from the decision to favor containment, which actually meant war mobilization, a high defense budget, and a permanent cold-war footing for the nation. That is the significance of Truman's flat rejection of Clement Attlee's plea for peace in Asia.

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In contrast to Truman and the policy of permanent intervention, Dwight D. Eisenhower appears in Ambrose's book as a President struggling nobly to minimize the effects of the cold war. While his administration engaged in the rhetoric of liberation, the reality was more often a restrained version of Truman's containment. Despite John Foster Dulles, Eisenhower was more flexible than his predecessor. The Republicans may have rattled the saber, but "they also shut down the Korean War, cut corporate taxes, and reduced the size of the armed forces. Despite intense pressure and great temptation, they entered no wars. They were willing to supply material, on a limited scale, to others . . . but they would not commit American boys to the struggle."

By 1955, the decision to go to the summit had undercut the failure of Republican promises of liberation. Brinkmanship was dead. Eisenhower, even with the U-2 travesty and the wrecked summit, had improved things. "He had failed to liberate any communist slaves," was forced to acquiesce in the coming of communism to Indochina, and had "avoided war and kept the arms race at a low level. He had tried . . . to ease the policy of permanent crisis he had inherited from Truman."

For the story of what transpired after Eisenhower one must turn to Richard J. Walton's searing critique of John F. Kennedy's foreign policy, *Cold War and Counterrevolution*. For a long time, Kennedy has been viewed by many as a knight in shining armor, cut down by an assassin's bullet in the prime of life, just as he was about to inaugurate an era of peace on earth.

This popular view is one from which Walton firmly dissents. Basing his analysis on the published record, and relying heavily on the accounts provided by Kennedy's intimates, Walton argues that in reality Kennedy "prosecuted the cold war more vigorously, and thus more dangerously, than did Eisenhower and Dulles." Kennedy, with his "Green Berets and his counterinsurgency programs and his swift and massive military buildup, became the great counterrevolutionary of the postwar world." For Walton the legacy of his administration is clear: "John F. Kennedy as President was cold warrior and counterrevolutionary. Cuba, Berlin, Vietnam —those are his monuments."

Walton's critical assessment of the Kennedy policies, one that is likely to be highly unpopular, is based upon a meticulous examination of the various crises of the Kennedy years, along with the positions espoused and justifications offered at the time. The first such crisis area was that of the vast military buildup. Thus Kennedy asked for $6 billion more

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for defense than Eisenhower had previously requested—although the General had assured the nation that the lower amount was adequate to the need.

Secondly, the Berlin crisis, rather than representing what Arthur M. Schlesinger, Jr., has called a step "in the education of the President in the controlled employment of force for the service of peace," is depicted as a dispute "fabricated in Washington," in which Kennedy at first refused to negotiate and instead escalated "the situation into a major international crisis with grim forebodings of nuclear war." He used the situation as a pretext for raising military spending by $3.25 billion, calling up 150,000 reservists, and increasing the size of the army by a quarter of a million men. He also began the provocative and ridiculous fallout-shelter and civil defense programs, further increasing tensions with Russia.

Walton's assessment of the Cuban missile crisis is the most penetrating part of the book. Unlike the Kennedy hagiographers, he does not see the event as JFK's greatest triumph. Rather, the decision to go "to the brink" is held to have been "irresponsible and reckless to a supreme degree." Walton argues that it was unnecessary, and that Kennedy and his administration knew this. Walton begins with a clear understanding of which power was David and which Goliath. As he writes, "whatever Russia's share in aggravating the Cuban crisis by installing missiles, the indisputable fact is that the United States by its unrelenting hostility to a weak and isolated Cuba caused the confrontation in the first place."

Most important, he argues that the confrontation with Russia *"could have been avoided by normal diplomacy."* He rescues a forgotten fact; that six days before the U-2 cameras confirmed the presence of missile sites in Cuba, President Dorticos had admitted having missiles, but stated that a U.S. guarantee of Cuban territorial integrity would lead to the removal of these new weapons. That this was indeed the course that eventually led to an end to the crisis is proof to Walton that "Kennedy did not have to go to the brink to have the missiles removed."

As for Kennedy's bargaining triumph, Walton argues that Khrushchev held out and indeed received "a reasonable settlement." He got an end to the blockade, a pledge guaranteeing Cuba's safety, and a private undertaking to remove U.S. missiles from Turkey and Italy. These guarantees had not existed prior to the crisis; they were the unintended result of Kennedy's unconscionable gambling with nuclear war in pursuit of very different aims. Like Ambrose, Walton portrays Kennedy as the prime initiator of the military effort in Vietnam, which both authors agree was the "liberal's war."

Walton leaves open the question of whether, given time, John F. Kennedy would have moved in the opposite direction. But he does not address himself to the question of whether or not even the most well-meaning and well-educated Executive—one not subject to the cold-war myths adhered to by Kennedy—could move far enough in the direction of accommodation with social revolution. At what point would such a step interfere with the politico-economic necessity to maintain the open-door empire? This is the crucial question to ask. If American foreign policy is a reflection of domestic forces and pressures, and the economy requires expansion and markets, then the empire abroad cannot be dismantled until we address ourselves to breaking up the empire at home. No less radical a program must be contemplated if some future President is ever to step aside from the path of empire and intervention. □

No Matter What the Icons Say

ICONOGRAPHS. *By May Swenson. Charles Scribner's Sons. 88 pp. $4.95.*

HARRIET ZINNES

Mrs. Zinnes teaches creative writing and modern literature at Queens College, New York. She has published two volumes of verse, and a third is in preparation.

May Swenson since her first collection, *Another Animal* (1954), obviously, even nervously has been devoted to craft. Formal sloppiness would be impossible for her:

beautiful each Shape
to see
wonderful each Thing
to name

Out of close observation of urban and rural landscapes, of faraway places and tourist spots, of birds, horses, waves or the sun, she has built her poems upon the page. It is the way May Swenson has built her poems that needs comment. Is what she has done a monument of craftiness, or is the individual stance of her poems, notable in her latest collection *Iconographs* (but evident from the very first), a necessary part of her vision? In a note to *Iconographs*, she writes: "It has always been my tendency to let each poem 'make itself'—to develop, in process of becoming, its own individual physique." Therefore, the poet *typed* the poems (the volume is a photo-offset publication). In effect, the photographed typescript creates an enclosed, graphic object upon the page. The whole is seen as a significant spatial object even before the eye relents and begins to read. The poem evolves into something almost plastic, a form of conceptual art. The words that are the poem do not lose their integrity within the poem, and the mold, the shape, is a possible new dimension.

For example, in "Welcome Aboard the Turbojet *Electra*," the substance of the poem and the icon are well synchronized. The reader's eye follows the nose of the jet as the plane wings down to Austin, Tex., while the poet describes the journey down and the events inside the plane which call up a miscellany of irrelevant images: "Strident aluminum/hairpin the light tweaks down there./No, no hairpins anymore. No/bobby pins. No/bobs. . . . Now sun is staining a cleft in cloud/like dogpiss on snow."

Certainly shaped verse is old. But there was no sense of desperation about considerations of form in, for example, the 17th-century poet George Herbert. His iconic poems, "Easter Wings" or "The Altar," were the result of devotion as well as an easy wit. Even the new fragmented open forms make a poet uneasy today. Seeking a new form is now a more pressing matter; therefore, it is in itself a bit of craftiness. The conscious effort suggests beguilement outside the language. But poetry is above all language. May Swenson's solution is interesting because she seeks the form *after* the poem, the text, has been written. In other words, her mold does not determine the verbal structure. First the words are on the page, and then like a draftsman she draws her icon with her text as pencil and pen. The advantage of this method is that there is no distortion of the original language, and thus of perception. The poetic text has not been violated in any way. But what May Swenson is saying, in effect, is that language is not enough today, that poetry has suffered a diminution. She feels the need to "make an existence in space, as well as in time, for the poem." (And that too is old, at least as old as Mallarmé—when the crisis indeed first became apparent.)

But aren't these extrinsic forms finally irrelevant? May Swenson's true formal superiority is not in the graphic interest imposed on her poems but in her authentic form, what Stephen Spender has called, "that complex of subject matter, rhyme, metrical or free verse into which

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a poet transforms the material of his experience." I would add, however, that this complex contains language, and the poetry of May Swenson reveals a brilliant use of language: definitions of visible and evocative worlds. The graphic aperture, for example, that the poet slants down the poem "Feel Me" ("His last whisper was spent as through a slot in a wall") in order to intensify that final well that opens for the dead and for the living is not exactly irrelevant, but does it not in the end diminish the powerful feelings at the death of the father that the poet has conveyed through the language? In May Swenson's shaped verse there is never a failure of form in the sense that William H. Gass meant when he recently commented that "an unfeelable form is a failure." But even May Swenson's shaped verse is at the least a distraction.

Yet these icons say a great deal about the state of poetry today. If a poet with the resources of May Swenson feels the need to manipulate poetic form in order to incorporate an elementary visual art (after all, trellises, wave configurations, cinema screens are not particularly exciting graphic objects on a page), poetry is admitting its own defeat.

Nevertheless, this new volume of May Swenson is a triumph of poetry. I go backward as I read. I read the text *before* the shape has been imposed, and then I see that her singular devotion to her craft has led to a new dimension in her art. Through assonance and internal rhyme, she delicately maneuvers new feelings in the poem to her father mentioned above: "And then the vessel burst, and we were kneeling/around an emptiness." In the poem "Five Horses," not only are the horses meticulously described ("They are made short by the stature/of the grass") but the poet makes the whole situation dramatic. The horses are being observed by two lovers, so that the very sensual description of the horses is impelled by the human sexual involvement. And the erotic impulses in this poem and in others seem to contain an affirmation of life rare in the work of poets of today. There is no gloom here, even if there is a keen political awareness of the consequences of an America dedicated to technology at the expense of man. May Swenson, indeed, is one of the few poets celebrating the positive power of science.

In this volume May Swenson's metaphysical wit has become less Dickinsonian and more like Beckett. Primarily interested in concrete experience ("No to and from/There is only here," as she writes in an earlier volume), she sees the *here* more firmly rooted in the *now*, without embellishment. Her last poem in *Iconographs* says joyously:

the rocky
point I stand
on. That's lifesized . . .

it's the moment's
ground I stand
on. It is fair.

This new volume attests that May Swenson is one of the most distinguished poets writing. With an uncanny ear, a sense of line directed by an inner energy and a way with language that is ever a discovery, she stands almost alone as a poet who has triumphed over the continuing skepticism among her colleagues toward their own craft. □

FILMS

ROBERT HATCH

Bringing Melville's *Bartleby* up to date, so that its title figure may stand as a most extreme model of contemporary alienated man, is a teasing editorial idea. As accomplished for the screen under the direction of Anthony Friedman, it has run into some difficulties, and I judge it an interesting failure.

The first difficulty is that one cannot really update the effect of Melville's superb story, however scrupulously one supplies equivalents for the original circumstances. The mid-19th century relished quirks and oddities of character, and was disposed to view them in a mood of pleased astonishment, without much wondering how such aberrations came about. To a considerable extent, they took each man in his humor. It is true that Melville, by intimating that Bartleby is a refugee from the dead-letter office, suggests the world of desolate isolation from which his man may have come, but he is content to let the enigma of Bartleby's behavior die with him.

A hundred years later that is not so easily done. We have learned a great deal about the springs and courses of human behavior (though probably not as much as we like to pretend), and after several generations of psychological drama and fiction, it is disconcerting to watch apparent contemporaries wagging their heads in bafflement at the dark continent of the mind. Specifically, it looks like gross medical malpractice that Bartleby should die untreated and unattended in a modern clinic; but of course if the psychiatric staff were to take his case in hand, any pretense that this was Melville's story would at once fly out the window.

Then there are the technical difficulties of translating Melville's rather oddly constructed narrative into a dramatic script. The essence of the central figure is that he refrains from action—his only significant remark, endlessly repeated, is, "I would prefer not to." In the film, John McEnery embodies this negativism brilliantly. Pale, expressionless, indomitably cringing, he creates a tangible emptiness that is literally a sickening void. But this makes a problem for Bartleby's employer, Melville's narrator, here performed by Paul Scofield. He has virtually no one to play against—being thus very much in the plight of Beckett's Krapp, whose only stage companion is a tape recorder—and Scofield is not ideally suited to solo performances. He is a very eloquent actor—perhaps excessively eloquent, in that one becomes increasingly aware, as he builds a character, of all the thought and dexterous precision that are going into the fabric. It is pointillist work, built up of an infinite number of perfectly realized details, sometimes very effective but often more a demonstration of craftsmanship than a natural evocation of character. Left to himself, as he is here, Scofield can betray his intense awareness of himself, with the result that the viewer becomes consciously aware of him. An actor whose talent was less evident because more deeply secured—Ralph Richardson, for example—could perhaps have carried off this formidable assignment with less apparent art.

But whoever plays the role, once *Bartleby* is projected on stage or screen, the focus of attention must shift. Melville's art was to make the passive clerk seem the subject of his tale, but as soon

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as the characters are embodied, the subject inevitably becomes his active employer and he turns out to be by no means as engrossing a figure. Friedman and Scofield have conceived him as a representative member of the commercial establishment, rather vain, limited in imagination and self-assurance, good-hearted but trivial. It is dramatically less than mesmerizing to observe how such a man can be put out of countenance by an awkward employee.

But even so, I think the film might have preserved more of Melville's narrator. He is much brighter than Scofield's creation, with a dry wit that is directed freely at himself. He is a connoisseur of character, his taste for eccentricity being demonstrated in his office staff—Turkey, Nipper and the boy, Ginger Nut—whose oddities of temperament make more plausible the employment of Bartleby. In short, he is a 19th-century gentleman, though self-admittedly an unaspiring member of that class, and thus entirely more idiosyncratic than the film's other-directed businessman. Scofield's character is of greater contemporary relevance, perhaps, but of slighter human significance. And much the same can be said of the film: in Melville's story Bartleby is an insubstantial but tragic central figure; as Friedman has renovated it, Bartleby, however astonishing McEnery's embodiment of him, becomes a catalyst of someone else's predicament.

For all its lashings of exotic local color, *Outback*, made from the successful Australian novel, *Wake in Fright* by Kenneth Cook, is very much a stock fiction. Its hero, an old friend of any reader of Thackeray, is the sensitive, aspiring young man who is brought to the edge of ruin by pleasant companions, but saved in the last chapters by the benevolence of the author. In this case, the benevolence takes the form of allowing the young man to shoot himself in the head with a rifle, which deed, not being fatal, has a sobering effect upon him.

John Grant (Gary Bond) is the teacher at a whistle stop that seems to consist only of the one-room school and a fly-infested hotel, and which is placed in the center of a burning, featureless plain that makes the more arid regions of the American West look animated and inviting. Off for a six-week holiday in Sydney, Grant stops for the night at a mining town, where one gets the plane. Trouble ensues, summed up aptly enough by the hero in one of his later moments of lucidity. In that society, he complains, you may burn down a man's house and rape his women, and he will regard you with indulgence; but refuse to drink a beer with him and he will rail at you as though you had challenged his honor and scoffed at his gods. Grant drinks a great deal of beer in company whose brute manners he despises when sober and emulates when drunk. He loses his money in a gambling hall, is saved from seduction by a timely attack of vomiting, engages in an abominable slaughter of kangaroos (the producers assure us that the hunting scenes, since the kangaroo is an endangered species, were carried out by licensed, professional hunters under the supervision of Australian authorities —which made me wonder whether the sequitur operates differently down under) and engages in a homosexual encounter that, considering the alcoholic exhaustion of both men, probably did not amount to much, but which seems to have been at least partly responsible for the attempt at suicide.

Grant's partner in that business is one Doc Tydon, a debauched medical man who demonstrates his superior education by quoting from the classics as the furniture is being smashed by his uncouth companions. That, lord knows, is a stock part, but it is played by Donald Pleasence and it is a joy to see him pour life into it. He cannot quite prevent his own intelligence from grinning ruefully around the edges of this cliché conception of intelligence in ruins; I suppose that should be scored an artistic lapse, but it was a relief in the amiable mindless squalor of the film.

I should be more appreciative of *Outback*. Its cast is consistently persuasive and the director, Ted Kotcheff, has filmed what may well be an accurate account of the good life deep in the Australian wasteland. My difficulty is that one bunch of muscular drunks tends to resemble closely any other bunch of muscular drunks; the things they do are so stereotyped that you can almost predict the order in which they will do them. And when to that stew is added the gentle youth who attempts to out-hooligan the hooligans, emerging at last a sadder, wiser man, I get the feeling that I have emerged from the picture an older but not more enlightened moviegoer. That landscape, though, town and country, is a hell such as you don't see every day, and Pleasence is tremendous.

Tomorrow is a William Faulkner short story, turned into a screen play by Horton Foote, who did the same for *To Kill a Mockingbird*, and directed by Joseph Anthony of *The Lark*, *Mary, Mary*, etc. It was filmed near Tupelo, Miss., and nothing quite like it has been seen since Richard Barthelmess departed the screen.

Jackson Fentry (played by Robert Duvall with a stupendous 'coon hollow accent) is the off-season caretaker at a remote sawmill. Into his cabin stumbles Sarah Eubanks (Olga Bellin), who stirs the embers of love in Fentry's depths, is delivered of a child by Mrs. Hulie the midwife (Sudie Bond) and dies, apparently of discouragement.

The little boy wonderfully brightens Jackson's solitary life, but, after several years, along come the three mean-eyed brothers of Sarah to claim their kin. He grows up mean like them and shoots a man, but Fentry sits on the jury and will not find the boy guilty, knowing there must be some good in him, since he put it there. He then rides back, alone and scorned, into the woods—enduring tomorrow and tomorrow, like the title says.

I have not read the story; perhaps that is what Faulkner wrote. He wrote a great deal, not all of it at the top of his form. □

ART

LAWRENCE ALLOWAY

The received picture of Giorgio de Chirico is that he was inspired as a young artist and terrible for the last fifty years. "De Chirico by de Chirico" (New York Cultural Center, until April 2) is conceived in opposition to this view. It consists almost exclusively of the later works, most of them from the artist's own collection. Understandably, de Chirico suffered from the decades of rejection of his new work while his early pieces soared in estimation and value. In 1950 he sued the Venice Biennale for exhibiting a group of early paintings against his wishes. Collectors had loaned his work, but he, the artist, had not been invited to participate. (The court decided for the artist, but a court of appeals overturned the judgment.)

His Metaphysical period, 1911-19, became the basis, after de Chirico's meeting with Carlo Carra in 1917, for a broader movement, Pittura Metafisica, which cohered until 1920. The period started with nostalgic paintings of Italianate towns, painted from memory in Paris, and after his return to Italy consisted of pictures of animated lay figures or still lifes with juxtaposed objects. This evocative mode was discovered in the 1920s by the Surrealists and it is thanks to them that this phase of de Chirico's work was moved to stage center, though by this time he was painting in another way. De Chirico, born in Greece of Italian parents, influenced in Munich by the paintings of Arnold Boecklin, with their Teutonic view of the classics and the Mediterranean, developed an odd version of the classical past in the 1920s. His Roman

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Villa paintings and scenes of gladiatorial combat are classical in subject but not in style. There is a travel poster substantiality in the way the nostalgic realm is presented in terms of leisure and mythology. The bodies of the gladiators are elongated and soft, rendered in a style that assures us that any blows they might deliver will be harmless. Quite apart from the Freudian sexuality projected on the Metaphysical paintings by Surrealists, there is objectively something alienated about them, at least partly explicable by the mixture of naive memories and 19th-century German classicism.

Paul Eluard admired one of de Chirico's best-known pictures, "The Disquieting Muses," and de Chirico copied it for him in 1925 (a version of the painting of this year is at the New York Cultural Center). The iconography is the same but the mood and the technique have changed. If this was, in fact, the first of de Chirico's repeats of his own paintings, it was decisive, for the greater part of the present exhibition consists of derivations and replicas of earlier works. For instance, the Roman Villa period is represented by a reworking of 1948, "Mysterious Rocks," and the gladiators by later versions. The Metaphysical period is conspicuously filtered, with a few exceptions, through a screen of enriched paint. The originals were done in a crisp, *sec* style, whereas after 1919 de Chirico elaborated oil paint in fruity and juicy terms. Sometimes the paint looks as if he were using olive oil as a medium.

The cumulative effect of all these revisions and reworkings is curious: one has a sense of the prime object at a great distance, behind the painting rather than being the painting. It is like looking at, say, early Christian art and seeing the Hellenistic forms that are in the process of being subverted to new ends. A coherent fixed form is softening and changing its appearance and meaning: the once clear motif is corrupted. The changes within de Chirico's retentive imagery look less like personal development than long-term cultural change. In a sense that is what happened to him. His Metaphysical paintings belong with the complex of values called "Modern" art, in their formal flatness and in the solitariness of their creation. His works after 1920, however, are associated with another taste culture: it is a high society art, in which classical references and sensuous extravagance of facture are mingled. (De Chirico's self-portraits, for instance, are evident contributions to the frivolous Baroque portrait style which commemorates fancy dress parties.) He has moved from one narrow sphere, that of modernity, to another, but continually translates themes initiated in one area into the style of the other. Given the fixed assumptions of both "art worlds," it follows that one group finds his later work a sellout whereas the other group likes it; in fact, de Chirico is very successful in Italy.

There are similarities between the periods, though they are not usually remarked. De Chirico's notion of painting has always been that of a drawing, with color backing up the linear structure rather than creating its own forms. This is true of both the solid color planes of the early work and of the later lush surface, in which much of the animation of the paint is actually the product of calligraphy rather than painting. In the 1940s he simulated Rubens and Delacroix (much as René Magritte imitated the late style of Renoir), but without really defining his forms by means of the fusion of colors. He just filled in with richer paint textures the fundamentally linear base, but a base of curly rather than straight lines. His latest works, neo-primitive emblems, heavily contoured and patterned, confirm the linear basis of his style.

The paintings are as unassimilable to "modern" aesthetics as Francis Picabia's later work and as brutal in their annexation of de Chirico's own early imagery as Picabia was in his jovial raids on the going styles of the 1920s and 1930s. The spasmodic drawing, the half-controlled plasticity which bulges errantly, should not come as a surprise, because the Metaphysical paintings are as stiff and awkward, though in another way. In fact it is time to say that the earlier period has been overrated, in Italy for its innate, as opposed to learned, classicism (Pittura Metafisica) and in Paris for its disquiet (an approach taken over in its totality in the United States). When art was viewed as a mechanism for the release of the artist's unconscious mind, the moody towns and the strange objects seemed revelatory, but this line of interpretation has lost its energy. A painting of 1969 (repeating who knows what original?) may be a clue to the situation: it depicts "Oedipus and the Sphinx," but what is shown is not the drama of the encounter but the boredom of its repetition. In a sense it is the banality of the classics, their exhaustion, that is de Chirico's theme. Where Picabia dismissed as absurd the laborious formation of styles, de Chirico subverts the classics and the classical elements of his own early work by subjecting them to ornate variation. In the name of the grand manner he has reduced subject matter to habit. □

STORMS

I
A blackbird lines the sidewalk cracks,
dreaming of rain-dishevelled worms.

II
The tough buds nurse their granaries.

III
Nights I howl like a leaf.
If I die in Spring,
what will I offer to the fall?

Emanuel di Pasquale

REALITY

Now that we see no mystery beyond the hill
we'll dance on the dunes
and get covered with leaves
with starfish thorns
and the sighs of baby seahorses
Now that we call the sun the sun

Emanuel di Pasquale

THEATRE

HAROLD CLURMAN

At one of Mallarmé's renowned Tuesday evening receptions, Degas confessed to the poet that he had attempted verse. "I have good ideas," the painter said, "but the poems are bad." "Ah!" was Mallarmé's rejoinder, "poems are not made with ideas but with words."

So it is with all the arts: ideas must be fleshed in the material of the art. The material of the theatre is the person of the actor in all his capacities, the place in which he is seen, the text he employs, along with the sound (music or other means of aural communication) which may help to convey the sense of the spectacle.

Latterly we have begun to speak of a theatre of "mixed media." There is little new in this novelty; theatre has always been a mixed medium. What has given rise to the *avant-garde* overtones of the term is the introduction of radio, video and other electronic instruments. However, what is crucial to the art is not the mixture but the unification of the media, so that they add up to a coherent "statement," an expressive piece of theatre.

This axiomatic definition—obvious and therefore easily disregarded—occurs to

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me now because I have recently witnessed a number of shows inspired by the "idea" of mixed media. The intention and ambition are respectable and worth encouraging, but the results have generally been dishearteningly flawed.

It is not enough for the actors to sing while engaged in strenuous physical movement (including dancing!), with the orchestra and other sound transmitted through mechanical devices to serve as a counterpoint to the "story," while photos, drawings, films make their visual comment, and varicolored lights play upon the entire proceeding; there must still be an organic communication. In most cases what happens instead is that each element impairs the others. The actors may sing moderately well or poorly, especially in regard to verbal clarity; the dance movements are usually rudimentary and accomplished with more perspiration than dramatic vitality; the music is mediocre or worse, at least in relation to textual intelligibility, and the acting is crude. There is laudable striving and artistic mishmash.

Still, even this would not prove altogether fatal if one were convinced that what we were seeing issued from some central source of original feeling or thought, rather than from a desire to display supposedly innovative techniques. But more often than not the techniques are not mastered and the core of the matter, the human value of the generative impulse, is sophomoric and thin.

My criticism here applies only in part to the stage adaptation of Allen Ginsberg's poem *Kaddish*, which the Chelsea Theatre Center of Brooklyn has just produced at the Brooklyn Academy of Music. The basic life experience from which the author has wrought his work —poem and play—is the "hot line" which holds the performance together and gives it merit. One is made aware of the awful pathos in the events which propelled the work and shaped the man. Nevertheless, as a stage piece *Kaddish* is damaged by a mixture of imperfectly coordinated ingredients.

Kaddish, the Hebrew prayer in memory of the dead, in Ginsberg's stage treatment is an "epic" narration of his mother's anguished life. Naomi Levy (Levy was the husband's name) was an immigrant Jewish girl from Russia, possibly pretty, musically gifted, warmhearted and unhappily wed to Louis Levy, a New Jersey schoolteacher. We do not know the exact cause of her dissatisfaction with the man, who seems to have been a decent enough fellow, but we may presume it to have been sexual. The first symptoms of her mental illness are revealed in rabid hatred of her mother-in-law, followed by savage paranoia, with only momentary reversions to lucidity.

To the personal causes of her sickness Ginsberg adds the historical circumstances of the time, affecting him as well as her: the advent and spread of fascism, the persecution of radicals, the rancid vicinities in which they lived, the economic depression. There is also in the play an allusion to his homosexuality and to the deep mutual attachment of mother and son, which may or may not have been a contributing factor to his anomaly. Naomi, after a series of harrowing transferences into and out of mental institutions, dies without even the ability to recognize Allen when he comes to visit her for the last time.

Such scenes as these are interspersed with fragments of the original poem, spoken by Michael Hardstark who most sympathetically plays Allen at college age. Brief episodes flash the life history of the Ginsberg-Levy family, most of them painful, a few tender and touching.

In addition to some radio announcements, symbolic and topical, still photos and bits of film are offered to further the narrative line, but more often they duplicate the action present on the stage. We see Naomi wandering in bewilderment through the streets and parks, along with moments of her extreme violence in the hospitals. Allen's dreams of contact with a football hero of Columbia College are cinematically adumbrated, as are his adventures with his brother Eugene as they move in and among official buildings.

At times the film narrative is dramatically cogent: once, for example, when Allen watches his mother in an ambulance as she is taken from home to hospital. But much else is garbled and distracting. There is no point to filmic screening of what we see done by the actors on stage. In this connection, it is important to note that, while the screen actor is larger and therefore more prominent than the live performance, one watches the stage rather than the screen image.

The material which composes *Kaddish* is terrifyingly real; it cannot be dismissed. But too much of it seems largely clinical; the repetition of Naomi's insane outbursts, such as the screened version of her running naked through the corridors of the asylum and being forcibly restrained, become cruelly monotonous.

Overcoming the faults of the presentation is a sense of what contributed to the formation of the poet Allen Ginsberg. That is not solely an individual matter, confined by the importance we may ascribe to the mixed values of his writing. The tensions created in his life are also those of our time. They tell much about a state of mind common to many in the audience. Ginsberg is a "god seeker." To use his own language, Ginsberg attempts to evoke "Platonic Vapors of Eternity." Multitudes of folk nowadays, bruised by a civilization in turmoil and, some believe, in dissolution, hope to discover a "key" to the universal mystery, a monistic world view which might metaphysically explain, justify and make somehow acceptable our torment. And though the sum of the search as expressed in literature is often ragged and sentimental, the response to the pursuit, even in its most ineffectual manifestations, gives it a kind of woeful *noblesse*.

Marilyn Chris, undertaking the extremely taxing role of Naomi, achieves her best moments in the scenes of domestic intimacy and quiet. For the rest, she falls into the trap of making the riot of the character's aberrations too muscularly tense, too vocally disruptive and harshly "dramatic," which lessens its power to engage us. Under Robert Kalfin's direction the company as a whole performs its assignments with intelligent simplicity. □

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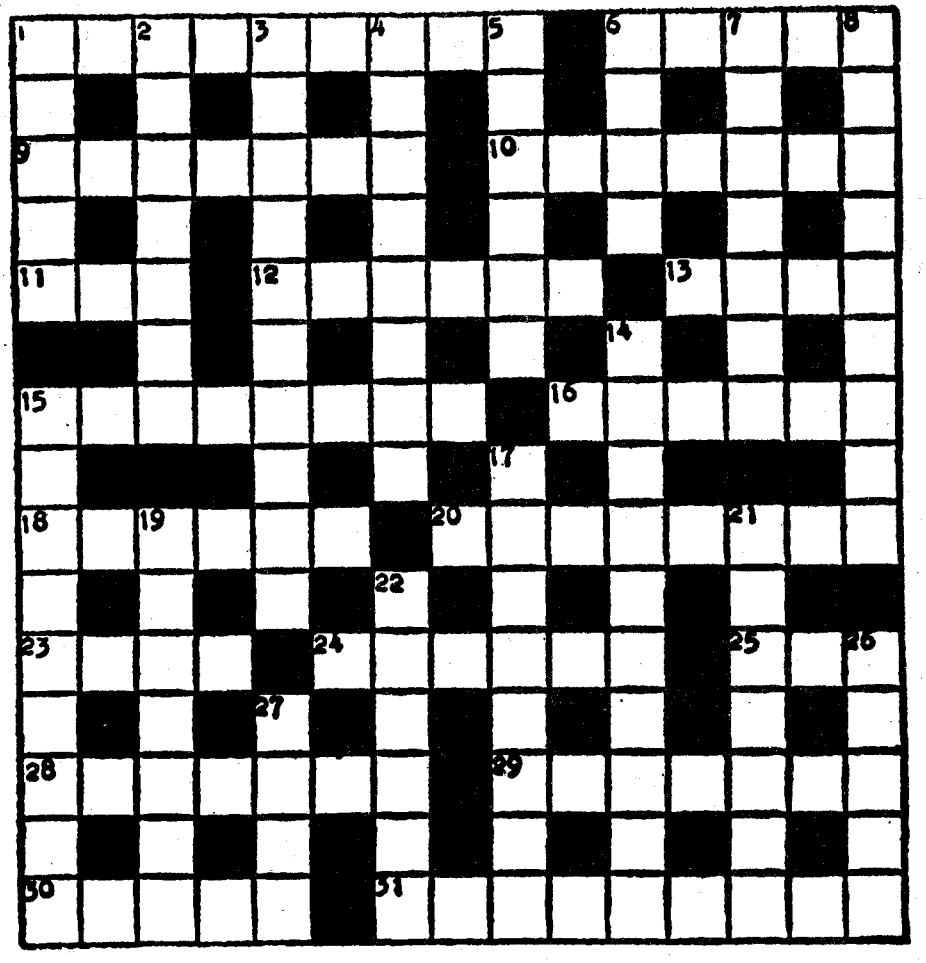
Crossword Puzzle No. 1431

FRANK W. LEWIS



ACROSS

1 Berate a woman for being partially disrobed? (5,4)
6 See 23 across.
9 What they used to hang more often than now could be a complete failure. (4-3)
10 A frightful word in a 27 perhaps, quite removed from the engine. (7)
11 See 25 across.
12 Common complaint of the game bird. (6)
13 How one might be inclined to pay attention to the record? (4)
15, 7 and 27 down Certainly not worn by the groom—but possibly by the one who got away. (6,2,7,4)
16 But one doesn't necessarily have to run at full speed in his profession! (6)
18 Output the opposite. (6)
20 See 15 down.
23 and 6 across How your ante disappears, if you don't take care. (4,2,3)
24 Bill could say he should be paid as a member of the old safari. (6)
25 and 11 across Is it possible that yon deep valley makes it? (6)
28 Thrust out, but rode awkwardly. (7)
29 Not informed one in France about a major struggle? (7)
30 The best thing to do for a good politician! (5)
31 Avoids being crabby in a way, but its speed's unusual. (4-5)

DOWN

1 The decimal system sounds all wet! (5)
2 An important element of perfume. (7)
3 No soap? A cheapskate might, in the shower. (It should be light enough.) (6,4)
4 Conventional alternate method with the first person missing Babe, perhaps. (8)
5 A foreign cent is most precise. (6)
6 Expressing a direction approaching and yet adjacent to a jug? (4)
7 See 15 across.
8 and 17 down How could an actor face the audience here! (7,2,3,5)
14 Miss Frietchie's in trouble here with the uncivilized types! (10)
15 and 20 across A winner might be expected to fetch his wife *Novum Organum*, perhaps. (5,4,3,5)
19 Letters of support, possibly. (7)
21 Not a chicken drink, but decorative! (7)
22 Some have them split at home, as one commonly tells the truth. (6)
26 Made of the south-east end, of necessity. (5)
27 See 15 across.

SOLUTION TO PUZZLE NO. 1430

ACROSS: 1 Aphorism; 5 Usable; 9 Samoset; 10 Litotes; 11 Cellini; 12 Grooves; 13 Sleight of hand; 15 Insubordinate; 21 Uptight; 22 Genteel; 23 Ignobly; 24 Release; 25 Escrow; 26 Odorless. DOWN: 1 Alsace; 2 Humbles; 3 Respite; 4 Sitting pretty; 6 Sets off; 7 Batavia; 8 East Side; 10 Light-fingered; 14 Figurine; 16 Satanic; 17 Bugaboo; 18 Annular; 19 Elevate; 20 Pliers.

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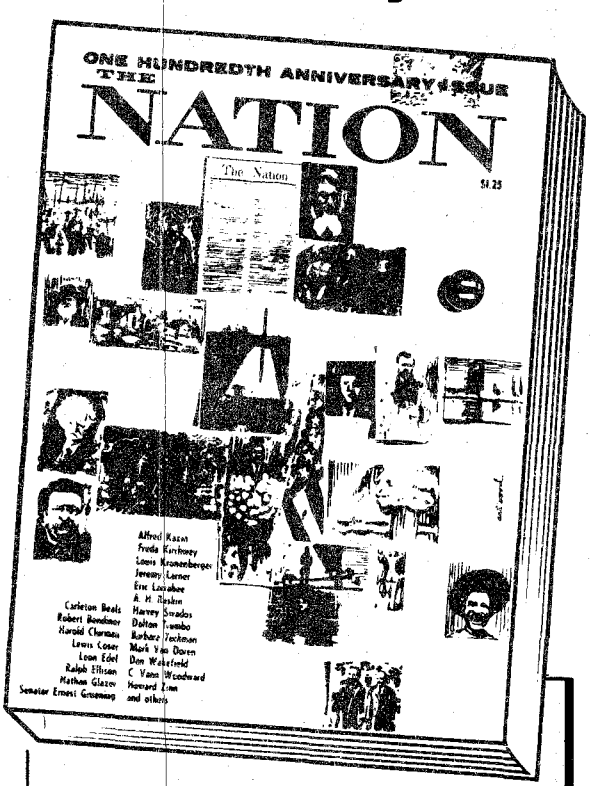

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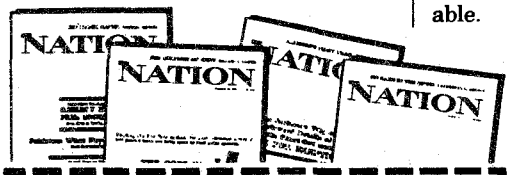

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